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INTERPRÉTATION DES TRAITÉS DE PAIX
CONCLUS AVEC LA BULGARIE, LA HONGRIE
ET LA ROUMANIE

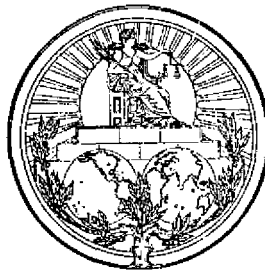
INTERPRETATION OF PEACE TREATIES WITH
BULGARIA, HUNGARY AND ROMANIA

COUR INTERNATIONALE DE JUSTICE

MÉMOIRES, PLAIDOIRIES ET DOCUMENTS

INTERPRÉTATION DES TRAITÉS DE
PAIX CONCLUS AVEC LA BULGARIE,
LA HONGRIE ET LA ROUMANIE

AVIS CONSULTATIFS DES 30 MARS ET 18 JUILLET 1950

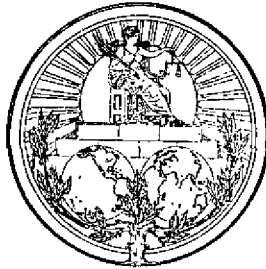


INTERNATIONAL COURT OF JUSTICE

PLEADINGS, ORAL ARGUMENTS, DOCUMENTS

INTERPRETATION OF PEACE
TREATIES WITH BULGARIA,
HUNGARY AND ROMANIA

ADVISORY OPINIONS OF MARCH 30th AND JULY 18th, 1950



PREMIÈRE PARTIE

REQUÊTE POUR AVIS CONSULTATIF
ET PIÈCES DE LA PROCÉDURE ÉCRITE

PART I

REQUEST FOR ADVISORY OPINION
AND DOCUMENTS OF THE WRITTEN
PROCEEDINGS

SECTION A.—REQUEST
FOR ADVISORY OPINION

I.—LETTER FROM THE SECRETARY-GENERAL OF THE
UNITED NATIONS TO THE PRESIDENT OF THE INTER-
NATIONAL COURT OF JUSTICE, THE HAGUE

31 October 1949.

Sir,

I have the honour to inform you that the General Assembly of the United Nations, by a Resolution adopted at its Two hundred and thirty-fifth Plenary Meeting held on 22 October 1949, in connexion with the question of "Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms", decided to submit the following questions to the International Court of Justice for an advisory opinion :

- "I. Do the diplomatic exchanges between Bulgaria, Hungary and Romania on the one hand and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of Article 2 of the Treaties with Bulgaria and Hungary and Article 3 of the Treaty with Romania, disclose disputes subject to the provisions for the settlement of disputes contained in Article 36 of the Treaty of Peace with Bulgaria, Article 40 of the Treaty of Peace with Hungary, and Article 38 of the Treaty of Peace with Romania ?"

In the event of an affirmative reply to question I :

- "II. Are the Governments of Bulgaria, Hungary and Romania obligated to carry out the provisions of the Articles referred to in question I, including the provisions for the appointment of their representatives to the Treaty Commissions ?"

In the event of an affirmative reply to question II and if within thirty days from the date when the Court delivers its opinion, the Governments concerned have not notified the Secretary-General that they have appointed their representatives to the Treaty Commissions, and the Secretary-General has so advised the International Court of Justice :

“III. If one party fails to appoint a representative to a Treaty Commission under the Treaties of Peace with Bulgaria, Hungary and Romania where that party is obligated to appoint a representative to the Treaty Commission, is the Secretary-General of the United Nations authorized to appoint the third member of the Commission upon the request of the other party to a dispute according to the provisions of the respective Treaties?”

In the event of an affirmative reply to question III :

“IV. Would a Treaty Commission composed of a representative of one party and a third member appointed by the Secretary-General of the United Nations constitute a Commission, within the meaning of the relevant Treaty articles, competent to make a definitive and binding decision in settlement of a dispute?”

One copy each of the English and French texts of the aforementioned Resolution of the General Assembly, both duly certified, are herein enclosed.

In accordance with the Resolution of the General Assembly, I shall transmit to the Court, as soon as final official records are available, copies of the relevant exchanges of diplomatic correspondence communicated to the Secretary-General for circulation to the Members of the United Nations and of the records of the General Assembly proceedings on the question of “Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms”.

I have, etc.

(Signed) TRYGVE LIE,
Secretary-General.

II.—RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON OCTOBER 22nd, 1949

Whereas the United Nations, pursuant to Article 55 of the Charter, shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Whereas the General Assembly, at the second part of its Third Regular Session, considered the question of the observance in Bulgaria and Hungary of human rights and fundamental freedoms,

Whereas the General Assembly, on 30 April 1949, adopted Resolution 272 (III) concerning this question in which it expressed its deep concern at the grave accusations made against the Governments of Bulgaria and Hungary regarding the suppression of human rights and fundamental freedoms in those countries; noted with satisfaction that steps had been taken by several States signatories to the Treaties of Peace with Bulgaria and Hungary regarding these accusations; expressed the hope that measures would be diligently applied, in accordance with the Treaties, in order to ensure respect for human rights and fundamental freedoms; and most urgently drew the attention of the Governments of Bulgaria and Hungary to their obligations under the Peace Treaties, including the obligation to co-operate in the settlement of the question,

Whereas the General Assembly has resolved to consider also at the Fourth Regular Session the question of the observance in Romania of human rights and fundamental freedoms,

Whereas certain of the Allied and Associated Powers signatories to the Treaties of Peace with Bulgaria, Hungary and Romania have charged the Governments of those countries with violations of the Treaties of Peace and have called upon those Governments to take remedial measures,

Whereas the Governments of Bulgaria, Hungary and Romania have rejected the charges of Treaty violations,

Whereas the Governments of the Allied and Associated Powers concerned have sought unsuccessfully to refer the question of Treaty violations to the Heads of Mission in Sofia, Budapest and Bucharest, in pursuance of certain provisions in the Treaties of Peace,

Whereas the Governments of these Allied and Associated Powers have called upon the Governments of Bulgaria, Hungary and

Romania to join in appointing Commissions pursuant to the provisions of the respective Treaties of Peace for the settlement of disputes concerning the interpretation or execution of these Treaties,

Whereas the Governments of Bulgaria, Hungary and Romania have refused to appoint their representatives to the Treaty Commissions, maintaining that they were under no legal obligation to do so,

Whereas the Secretary-General of the United Nations is authorized by the Treaties of Peace, upon request by either party to a dispute, to appoint the third member of a Treaty Commission if the parties fail to agree upon the appointment of the third member,

Whereas it is important for the Secretary-General to be advised authoritatively concerning the scope of his authority under the Treaties of Peace,

The General Assembly

1. *Expresses* its continuing interest in and its increased concern at the grave accusations made against Bulgaria, Hungary and Romania ;

2. *Records* its opinion that the refusal of the Governments of Bulgaria, Hungary and Romania to co-operate in its efforts to examine the grave charges with regard to the observance of human rights and fundamental freedoms justifies this concern of the General Assembly about the state of affairs prevailing in Bulgaria, Hungary and Romania in this respect ;

3. *Decides* to submit the following questions to the International Court of Justice for an advisory opinion :

“I. Do the diplomatic exchanges between Bulgaria, Hungary and Romania on the one hand and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of Article 2 of the Treaties with Bulgaria and Hungary and Article 3 of the Treaty with Romania, disclose disputes subject to the provisions for the settlement of disputes contained in Article 36 of the Treaty of Peace with Bulgaria, Article 40 of the Treaty of Peace with Hungary, and Article 38 of the Treaty of Peace with Romania ?”

In the event of an affirmative reply to question I :

“II. Are the Governments of Bulgaria, Hungary and Romania obligated to carry out the provisions of the Articles

SECTION B.—DOCUMENTS TRANSMITTED

I.—LIST OF DOCUMENTS SUBMITTED TO THE COURT¹

DOCUMENTS SUBMITTED BY THE SECRETARY-GENERAL OF THE UNITED NATIONS IN THE COURSE OF THE WRITTEN PROCEEDINGS

I. RECORDS OF GENERAL ASSEMBLY, SECOND PART OF THIRD SESSION

Folder 1

Inclusion of item in agenda

Records of proceedings

Records of the General Committee, 58th and 59th meetings.
Records of the General Assembly, 189th and 190th plenary meetings.

Folder 2

Inclusion of item in agenda

Documents

Letter dated 16 March, 1949, from the permanent representative of Bolivia to the Secretary-General requesting the inclusion of an additional item in the agenda of the third regular session of the General Assembly

A/820

Letter dated 19 March, 1949, from the Australian Mission to the United Nations addressed to the Secretary-General requesting the inclusion of an additional item in the agenda of the third regular session of the General Assembly

A/821

Agenda of the third regular session of the General Assembly; report of the General Committee

A/829

[See paragraphs
3 a and 3 b.]

¹ Only documents contained in Folder 7 are reproduced in this volume, pp. 20-130. [Note by the Registrar.]

[*Note—See Folder 4 for :*

*Telegram dated 4 April, 1949, from the
Government of the Republic of Hungary
to the President of the General Assembly* A/831

and

*Telegram dated 9 April, 1949, from the
Government of the People's Republic
of Bulgaria to the Secretary-General* A/832 and Corr. 1.]

Folder 3

Ad hoc Political Committee

Records of proceedings

34th meeting.
35th meeting.
36th meeting.
37th meeting.
38th meeting.
39th meeting.
40th meeting.
41st meeting.

Folder 4

Ad hoc Political Committee

Documents

*Telegram dated 4 April, 1949, from the
Government of the Republic of Hun-
gary to the President of the General
Assembly* A/831

*Telegram dated 9 April, 1949, from the
Government of the People's Repub-
lic of Bulgaria to the Secretary-Gen-
eral* A/832 and Corr. 1

*Allocation of items on the agenda of the
second part of the third session ; letter
dated 13 April, 1949, from the Presi-
dent of the General Assembly to the
Chairman of the Ad hoc Political
Committee* A/AC.24/47

Cuba : draft resolution	A/AC.24/48 and Corr. 1
Cuba : amended draft resolution	A/AC.24/48/Rev. 2
Australia : draft resolution	A/AC.24/50
Bolivia : draft resolution	A/AC.24/51/Corr. 1
Australia : draft resolution	A/AC.24/52
Chile : amendment to the Bolivian draft resolution (A/AC.24/51/Corr. 1)	A/AC.24/53
Colombia and Costa Rica : amendment to the Bolivian draft resolution (A/AC.24/51/Corr. 1)	A/AC.24/54
Cuba and Australia : amendment to the Bolivian resolution (A/AC.24/51/ Corr. 1)	A/AC.24/56
Telegram dated 23 April, 1949, from the Government of the People's Republic of Hungary to the Secretary-General	A/AC.24/57
Telegram dated 27 April, 1949, from the Government of the People's Republic of Bulgaria to the Secretary-General	A/AC.24/58
Report of the <i>Ad hoc</i> Political Com- mittee	A/844

Folder 5

Plenary meetings of the General Assembly

Records of proceedings

201st meeting.
202nd meeting.
203rd meeting.

Folder 6

Plenary meetings of the General Assembly

Documents

Resolution 272 (III), adopted by the
General Assembly, 30 April, 1949.

[*Note—See Folder 4 for:*
Report of the Ad hoc Political Committee A/844.]

II. RELEVANT EXCHANGES OF DIPLOMATIC CORRESPONDENCE COMMUNICATED TO THE SECRETARY-GENERAL FOR CIRCULATION TO THE MEMBERS OF THE UNITED NATIONS

Folder 7

- Letter dated 20 September, 1949, from the representative of the United States of America to the Secretary-General (with annexes) *A/985/Rev. I*
- Letter dated 19 September, 1949, from the representative of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General (with annexes) *A/990/Rev. I*
- Letter dated 19 November, 1949, from the representative of the United Kingdom of Great-Britain and Northern Ireland to the Secretary-General of the United Nations (with annex) ¹
- Letter dated 6 January, 1950, from the representative of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General of the United Nations (with annexes) ¹
- Note dated 6 January, 1950, from the representative of Canada to the Secretary-General of the United Nations (with annexes) ¹
- Letter dated 6 January, 1950, from the representative of the United States of America to the Secretary-General of the United Nations (with annexes) ¹
- Letter dated 17 February, 1950, from the representative of Canada to the Secretary-General of the United Nations (with annex) ¹
- Letter dated 17 February, 1950, from the representative of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General of the United Nations (with annex) ¹

¹ Documents transmitted during the second phase of the case.

Letter dated 17 February, 1950, from the representative of the United States of America to the Secretary-General of the United Nations (with annexes) ¹

Letter dated 20 February, 1950, from the representative of the United Kingdom of Great-Britain and Northern Ireland to the Secretary-General of the United Nations (with annex) ¹

Letter dated 29 April, 1950, from the representative of Canada to the Secretary-General of the United Nations (with annexes) ¹

Letter dated 28 April, 1950, from the representative of the United Kingdom of Great-Britain and Northern Ireland to the Secretary-General of the United Nations (with annexes) ¹

Letter dated 28 April, 1950, from the representative of the United States of America to the Secretary-General of the United Nations (with annexes) ¹

III. RECORDS OF GENERAL ASSEMBLY, FOURTH SESSION

Folder 8

Inclusion of item in agenda

Records of proceedings

- | | |
|--|--|
| Records of the General Committee, 65th meeting | [See pages 3 and 4, paragraphs 71-73, and page 7, paragraphs 104 and 105.] |
| Records of the General Assembly, 224th plenary meeting | [See pages 18 and 19, paragraphs 2-10, and page 23, after paragraph 56.] |

¹ Documents transmitted during the second phase of the case.

Folder 9*Inclusion of item in agenda
Documents*

- Supplementary list of items for the agenda of the fourth regular session ; items proposed by Australia A/948
- Adoption of the agenda of the fourth regular session and allocation of items to Committees ; report of the General Committee A/989
[See paragraphs 9-12.]

Folder 10*Ad hoc Political Committee
Records of proceedings*

- 7th meeting.
8th meeting.
9th meeting.
10th meeting.
11th meeting.
12th meeting.
13th meeting.
14th meeting.
15th meeting.

Folder 11*Ad hoc Political Committee
Documents*

- Letter dated 26 September, 1949, from the President of the General Assembly to the Chairman of the *Ad hoc* Political Committee A/AC.31/2
- Bolivia, Canada and the United States of America : draft resolution A/AC.31/L.1/Rev. 1

- Australia: amendment to the draft resolution proposed by Bolivia, Canada and the United States of America (A/AC.31/L.1/Rev. 1) A/AC.31/L.2
- Brazil, Lebanon and the Netherlands: amendment to the draft resolution proposed by Bolivia, Canada and the United States of America (A/AC.31/L.1/Rev. 1) A/AC.31/L.3
- Telegram dated 7 October, 1949, from the Government of the People's Republic of Romania to the Secretary-General A/AC.31/L.4
- Report of the *Ad hoc* Political Committee A/1023

Folder 12

Plenary meetings of the General Assembly
Records of proceedings

- 234th meeting.
235th meeting.

Folder 13

Plenary meetings of the General Assembly
Documents

- Resolution adopted by the General Assembly, 22 October, 1949.
[Note—See Folder 11 for:
Report of the Ad hoc Political Committee A/1023.]
-

II.—DOCUMENTS TRANSMITTED BY THE SECRETARY-GENERAL OF THE UNITED NATIONS¹

OBSERVANCE IN BULGARIA, HUNGARY AND ROMANIA OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.—RELEVANT EXCHANGES OF DIPLOMATIC CORRESPONDENCE
COMMUNICATED TO THE SECRETARY-GENERAL FOR CIRCULATION
TO THE MEMBERS OF THE UNITED NATIONS

Folder 7

LETTER FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SECRETARY-GENERAL

Document A/985/Rev. 1.

[Original text : English]

New York, 20 September, 1949.

Under instructions from my Government, I have the honour to refer to the General Assembly Resolution of 30 April, 1949 (272 (III)), on the question of observance in Bulgaria and Hungary of human rights and fundamental freedoms. In this resolution the General Assembly noted with satisfaction that steps had been taken by several signatories of the Treaties of Peace regarding the charges made against the Governments of Bulgaria and Hungary and expressed the hope that measures would be diligently applied, in accordance with the Treaties, in order to ensure respect for human rights and fundamental freedoms. The Assembly drew the attention of the Governments of Bulgaria and Hungary to their obligations under the Peace Treaties, including the obligation to co-operate in the settlement of the question and decided to retain the question on the agenda of the Fourth Session. On 20 August, 1949, the Government of Australia proposed for inclusion on the agenda of the Fourth Session the question of observance of fundamental freedoms and human rights in Rumania.

As one of the signatories to the Treaties of Peace with Bulgaria, Hungary and Rumania the United States has instituted measures referred to in the above-mentioned resolution of the General Assembly.

1. In its notes of 2 April, 1949 (Annexes 1, 2 and 3), the Government of the United States formally charged the Governments of Bulgaria, Hungary and Rumania with violations of the respective clauses of the Peace Treaties obligating them to secure to their peoples the enjoyment of human rights and fundamental freedoms. The United States Government requested that remedial measures be taken by the three Governments. The Governments of Hungary, Bulgaria and Rumania replied in notes delivered on 8, 21 and 18 April, 1949, respectively (Annexes 4, 5 and 6).

¹ See footnote, p. 13.

2. Since in these notes the three Governments denied that they had violated the Treaty provisions and indicated their unwillingness to adopt the requested remedial measures, the United States Government informed them that in its view disputes had arisen concerning the interpretation and execution of the respective Treaties of Peace. In the notes delivered by the American Legations in Sofia, Budapest and Bucharest on 31 May, 1949 (Annexes 7, 8 and 9), the United States Government invoked the relevant Treaty articles providing for the settlement of such disputes by the Heads of Diplomatic Missions of the United Kingdom, Soviet Union and United States in the three capitals (Article 36 of the Treaty with Bulgaria, Article 40 of the Treaty with Hungary, Article 38 of the Treaty with Rumania). The United States Chiefs of Mission in the three capitals requested their Soviet and British colleagues to meet with them to consider the disputes, in accordance with the procedure specified in those articles (Annexes 10, 11, 12, 13, 14 and 15). The Ministers of the United Kingdom expressed their willingness to comply with this request (Annexes 16, 17 and 18). However, the Soviet Government declined, in a note of 11 June, 1949, to authorize its representatives to discuss the matter (Annex 19). The Soviet Government rejected a further request by the United States Government to reconsider its position (Annexes 20 and 21). On 27 July, 1949, the Government of Bulgaria addressed a note to the United States Government setting forth its view that the settlement procedures provided for in Article 36 of the Peace Treaty with Bulgaria were not applicable (Annex 22).

3. As a result, the Government of the United States found it necessary to invoke the additional Peace Treaty procedure which envisages the establishment of Commissions composed in each case of one representative of each party to the dispute and a third member chosen by mutual agreement of the two parties from nationals of a third country. In its notes delivered on 1 August, 1949 (Annexes 23, 24 and 25), the Government of the United States requested the Governments of Hungary, Bulgaria and Rumania to join with it in naming these Commissions. The three Governments rejected this request in their notes dated 26 August, 1 September and 2 September, 1949, respectively (Annexes 26, 27 and 28). On 19 September, 1949, the United States addressed further notes to the Governments of Hungary, Bulgaria and Rumania in which it restated its views on the disputed issues (Annexes 29, 30 and 31).

I am attaching in the Annex copies of the notes exchanged in this matter, with a request that you, Mr. Secretary-General, be kind enough to circulate copies of this communication and of the notes to all members of the General Assembly in connexion with the impending consideration of this matter in the Fourth Session of the General Assembly.

(Signed) WARREN R. AUSTIN,
United States Representative
to the United Nations.

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Annex I

UNITED STATES NOTE TO BULGARIA

[Original text : English]

2 April, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Bulgaria and, acting under the instructions of the United States Government, has the honor to refer to Article 2 of the Treaty of Peace with Bulgaria, and to the Bulgarian Government's record with respect to fulfilment of its obligations under that article to protect human rights and the fundamental freedoms.

Article 2 of the Treaty of Peace reads as follows :

“Bulgaria shall take all measures necessary to secure to all persons under Bulgarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.”

Since the entry into force on 15 September, 1947, of the Treaty of Peace with Bulgaria, the United States Government, as a signatory of that instrument, has observed closely developments in Bulgaria with a view to ascertaining whether the Bulgarian Government has been fulfilling its obligations under the Treaty. The United States Government attaches particular importance to the obligations, set forth in the aforementioned article, which require the Bulgarian Government to secure to all persons under Bulgarian jurisdiction the enjoyment of human rights and of the fundamental freedoms. On the basis of its observations during this period, the United States Government concludes that the Bulgarian Government, although it has had ample opportunity to carry out its commitments in good faith, has deliberately and systematically denied to the Bulgarian people, by means of privative measures and oppressive acts, the exercise of the very rights and freedoms which it has pledged to secure to them under Article 2 of the Treaty. The disregard shown by the Bulgarian Government for the rights and liberties of persons under its jurisdiction, as illustrated below, has indeed become so notorious as to evoke the condemnation of free peoples everywhere.

Through the exercise of police power the Bulgarian Government has deprived large numbers of its citizens of their basic human rights, assured to them under the Treaty of Peace. These deprivations have been manifested by arbitrary arrests, systematic perversion of the judicial process, and the prolonged detention in prisons and camps, without public trial, of persons whose views are opposed to those of the régime.

Similarly, the Bulgarian Government has denied to persons living under its jurisdiction, as individuals and as organized groups including democratic political parties, the fundamental freedoms of political opinion and of public meeting. It has dissolved the National Agrarian Union, the Bulgarian Socialist Party and other groups, and has imprisoned many of their leaders. With the Treaty of Peace barely in effect and in the face of world opinion, the Bulgarian Government ordered the execution of Nikola Petkov, National Agrarian Union leader, who dared to express democratic political opinions which did not correspond to those of the Bulgarian Government. Proceedings were instituted against those deputies who did not agree with its policies, with the result that no vestige of parliamentary opposition now remains, an illustration of the effective denial of freedom of political opinion in Bulgaria.

By restrictions on the press and on other publications, the Bulgarian Government has denied to persons under its jurisdiction the freedom of expression guaranteed to them under the Treaty of Peace. By laws, administrative acts, and the use of force and intimidation on the part of its officials, the Bulgarian Government has made it impossible for individual citizens openly to express views not in conformity to those officially prescribed. Freedom of the press does not exist in Bulgaria.

By legislation, by the acts of its officials, and by "trials" of religious leaders, the Bulgarian Government has acted in contravention of the express provision of the Treaty of Peace in respect of freedom of worship. Recent measures directed against the Protestant denominations in Bulgaria, for example, are clearly incompatible with the Bulgarian Government's obligation to secure freedom of religious worship to all persons under its jurisdiction.

The Bulgarian Government bears full responsibility not only for acts committed since the effective date of the Treaty of Peace which are in contravention of Article 2, but also for its failure to redress the consequences of acts committed prior to that date which have continued to prejudice the enjoyment of human rights and of the fundamental freedoms. The United States Government, mindful of its responsibilities under the Treaty of Peace, has drawn attention on appropriate occasions to the flagrant conduct of the Bulgarian authorities in this regard. The Bulgarian Government, however, has failed to modify its conduct in conformity with the stipulations of the Treaty.

In the circumstances, the United States Government, as a signatory of the Treaty of Peace, finds that the Bulgarian Government has repeatedly violated the provisions of Article 2 of that Treaty. Inasmuch as the obligation of the Government of Bulgaria to secure to all persons under Bulgarian jurisdiction the enjoyment of human rights and fundamental freedoms is expressly stipulated in the Treaty, no specious argument that the matters raised in the present note are purely of a domestic character can be accepted. The United States Government, accordingly, calls upon the Bulgarian Government to adopt prompt remedial measures in respect of the violations referred to above and requests the Bulgarian Government to specify the steps which it is prepared to take in implementing fully the terms of Article 2 of the Treaty of Peace.

Annex 2

UNITED STATES NOTE TO HUNGARY

[Original text : English]

2 April, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and, acting under the instructions of the United States Government, has the honor to refer to Article 2 of the Treaty of Peace with Hungary, and to the Hungarian Government's record with respect to fulfilment of its obligations under that article to protect human rights and the fundamental freedoms.

Article 2 of the Treaty of Peace reads as follows :

"1. Hungary shall take all measures necessary to secure to all persons under Hungarian jurisdiction, without distinction as to,

race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Hungary further undertakes that the laws in force in Hungary shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Hungarian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter."

Since the entry into force on 15 September, 1947, of the Treaty of Peace with Hungary, the United States Government, as a signatory of that instrument, has observed closely developments in Hungary with a view to ascertaining whether the Hungarian Government has been fulfilling its obligations under the Treaty. The United States Government attaches particular importance to the obligations set forth in the aforementioned article, which require the Hungarian Government to secure to all persons under Hungarian jurisdiction the enjoyment of human rights and of the fundamental freedoms. On the basis of its observations during this period, the United States Government concludes that the Hungarian Government, although it has had ample opportunity to carry out its commitments in good faith, has deliberately and systematically denied to the Hungarian people, by means of privative measures and oppressive acts, the exercise of the very rights and freedoms which it has pledged to secure to them under Article 2 of the Treaty. The disregard shown by the Hungarian Government for the rights and liberties of persons under its jurisdiction, as illustrated below, has indeed become so notorious as to evoke the condemnation of free peoples everywhere.

The abridgment of rights and freedoms begun by the Hungarian Government in the armistice period has continued without abatement since the entry into force of the Treaty of Peace. Through arbitrary exercise of police power and perversion of judicial process, the Hungarian Government and its agencies have violated the rights of citizens as free men to life and liberty. Denial of freedom of political opinion is complete in Hungary. Democratic political parties which held substantial mandates from people have been through the Government's initiative successively purged, silenced in Parliament, fragmentized and dissolved. To enforce rigid political conformity the Hungarian Government and the Communist Party which controls it have established a vast and insidious network of police and other agents who observe, report on, and seek to control the private opinions, associations and activities of its citizens.

The Hungarian Government, despite the provisions of the Treaty of Peace, has circumscribed freedom of expression. Freedom of press and publication does not exist. Basic decrees pertaining to the press are

restrictive in character and are so interpreted in practice. No substantive criticism of the Government of the Communist Party is permitted. Government control of printing establishments and of the distribution of newsprint has been exercised to deny freedom of expression to individuals or groups whose political opinions are at variance with those of the Government. In the field of reporting, absence of formal censorship has not obscured the record of the Hungarian Government in excluding or expelling foreign correspondents who have written despatches critical of the régime or in intimidating local correspondents into writing only what is acceptable or favorable to the régime.

Freedom of public meeting on political matters has been regularly denied to all except Communist groups and their collaborators. In the case of religious meetings, on various occasions attendance at such gatherings has been obstructed and the principals subjected to harassment. The Hungarian Government, moreover, has pursued policies detrimental to freedom of religious worship. It has sought by coercive measures to undermine the influence of the Churches and of religious leaders and to restrict their legitimate functions. By arbitrary and unjustified proceedings against religious leaders on fabricated grounds, as in the cases of Cardinal Mindszenty and Lutheran Bishop Ordass, the Hungarian Government has attempted to force the submission of independent Church leaders and to bring about their replacement with collaborators subservient to the Communist Party and its program. Such measures constitute violations of the freedom of religious worship guaranteed by the Treaty of Peace.

The Hungarian Government bears full responsibility not only for acts committed since the effective date of the Treaty of Peace which are in contravention of Article 2, but also for its failure to redress the consequences of acts committed prior to that date which have continued to prejudice the enjoyment of human rights and of the fundamental freedoms. The United States Government, mindful of its responsibilities under the Treaty of Peace, had drawn attention on appropriate occasions to the flagrant conduct of the Hungarian authorities in this regard. The Hungarian Government, however, has failed to modify its conduct in conformity with the stipulations of the Treaty.

In the circumstances, the United States Government, as a signatory of the Treaty of Peace, finds that the Hungarian Government has repeatedly violated the provisions of Article 2 of that Treaty. Inasmuch as the obligation of the Government of Hungary to secure to all persons under Hungarian jurisdiction the enjoyment of human rights and the fundamental freedoms is expressly stipulated in the Treaty, no specious argument that the matters raised in the present note are purely of a domestic character can be accepted. The United States Government, accordingly, calls upon the Hungarian Government to adopt prompt remedial measures in respect of the violations referred to above and requests the Hungarian Government to specify the steps which it is prepared to take in implementing fully the terms of Article 2 of the Treaty of Peace.

Annex 3

UNITED STATES NOTE TO RUMANIA

[Original text : English]

2 April, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and, acting under the instructions of the United States Government, has the honor to refer to Article 3 of the Treaty of Peace with Rumania, and to the Rumanian Government's record with respect to fulfilment of its obligations under that article to protect human rights and the fundamental freedoms.

Article 3 of the Treaty of Peace reads as follows :

"1. Roumania shall take all measures necessary to secure to all persons under Roumanian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Roumania further undertakes that the laws in force in Roumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Roumanian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, profession or financial interests, status, political or civil rights or any other matter."

Since the entry into force on 15 September, 1947, of the Treaty of Peace with Rumania, the United States Government, as a signatory of that instrument, has observed closely developments in Rumania with a view to ascertaining whether the Rumanian Government has been fulfilling its obligations under the Treaty. The United States Government attaches particular importance to the obligations, set forth in the aforementioned article, which require the Rumanian Government to secure to all persons under Rumanian jurisdiction the enjoyment of human rights and of the fundamental freedoms. On the basis of its observations during this period, the United States Government concludes that the Rumanian Government, although it has had ample opportunity to carry out its commitments in good faith, has deliberately and systematically denied to the Rumanian people, by means of privative measures and oppressive acts, the exercise of the very rights and freedoms which it has pledged to secure to them under Article 3 of the Treaty. The disregard shown by the Rumanian Government for the rights and liberties of persons under its jurisdiction, as illustrated below, has indeed become so notorious as to evoke the condemnation of free peoples everywhere.

During the Armistice period the Rumanian Government took or countenanced actions which progressively deprived persons under its

jurisdiction of their essential rights and freedoms. The Rumanian Government accelerated these deprivations after it had signed the Treaty of Peace on 10 February, 1947, and in June and August, 1947, the United States Government warned the Rumanian Government concerning such actions as being prejudicial to the fulfilment of provisions of the Treaty. The Rumanian Government, however, took no corrective measures. This process was not only not reversed but continued without abatement after the Treaty came into force.

In violation of freedom of political opinion, assured by the Treaty of Peace, the Rumanian Government and the minority Communist Party which controls it disrupted, silenced and outlawed democratic political parties and deprived democratic leaders of their liberty. To this end, the Rumanian Government employed methods of intimidation and perversions of the judicial process. The inequities of these actions, as exemplified by the "trial" and condemnation to life imprisonment of Iuliu Maniu, President of the National Peasant Party, and other leaders were recited by the United States Government in the Legation's note No. 61 of 2 February, 1948. Moreover, large numbers of Rumanian citizens have been seized and held for long periods without public trial.

By laws, decrees and administrative measures as well as by extra-legal acts of organizations affiliated with the Government and the Communist Party, the Rumanian Government has stifled all expression of political opinion at variance with its own. Freedom of press and publication, guaranteed by the Treaty of Peace, does not exist in Rumania. No substantive criticism of the Government is permitted. The Rumanian Government has taken control of printing establishments and has suppressed all publications which are not responsive to its direction or which do not serve the purposes of the Communist Party.

Despite the express provision of the Treaty of Peace, only Communist and Communist-approved organizations are able in practice to hold public meetings. In view of the threat of forcible intervention and reprisals by the Government or by the Communist Party, other groups have not attempted to hold such meetings.

The Rumanian Government has likewise abridged freedom of religious worship, guaranteed under Article 3 of the Treaty of Peace, by legislation and by other measures which effectively deny such freedom. It has assumed extensive control over the practice of religion, including the application of political tests, which is incompatible with freedom of worship. These powers have been used in at least one instance to destroy by Government decree a major religious body and to transfer its property to the State.

The Rumanian Government bears full responsibility not only for acts committed since the effective date of the Treaty of Peace which are in contravention of Article 3, but also for its failure to redress the consequences of acts committed prior to that date which have continued to prejudice the enjoyment of human rights and of the fundamental freedoms. The United States Government, mindful of its responsibilities under the Treaty of Peace, has drawn attention on appropriate occasions to the

flagrant conduct of the Rumanian authorities in this regard. The Rumanian Government, however, has failed to *modify its conduct* in conformity with the stipulations of the Treaty.

In the circumstances, the United States Government, as a signatory of the Treaty of Peace, finds that the Rumanian Government has repeatedly violated the provisions of Article 3 of that Treaty. Inasmuch as the obligation of the Government of Rumania to secure to all persons under Rumanian jurisdiction the enjoyment of human rights and the fundamental freedoms is expressly stipulated in the Treaty, no specious argument that the matters raised in the present note are purely of a domestic character can be accepted. The United States Government, accordingly, calls upon the Rumanian Government to adopt prompt remedial measures in respect of the violations referred to above and requests the Rumanian Government to specify the steps which it is prepared to take in implementing fully the terms of Article 3 of the Treaty of Peace.

Annex 4

HUNGARIAN NOTE TO THE UNITED STATES

[Original text : English]

8 April, 1949.

The Hungarian Ministry of Foreign Affairs presents its compliments to the Legation of the United States of America and acknowledging receipt of the latter's note No. 360 of 2 April, 1949, has the honor to communicate as follows :

The Government of the United States accuses the Government of Hungary of the violation of the Treaty of Peace referring, first of all, to Article 2, paragraph 1, of the Treaty of Peace which obliges Hungary to secure "to all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms". It is well known that concerning the free enjoyment of human rights the Republic of Hungary, well before the conclusion of the Treaty of Peace, abolished all discriminations as to race, sex, language and religion which existed under the Horthy régime. Thus, the Government of Hungary has fully complied with the provisions of the Treaty of Peace. The Government of Hungary wishes to point out that it is the Government of the United States that launches the above reproaches against the Government of Hungary whereas, it is notorious that in the United States serious discrimination exists between citizens of different race and colour and that, by far, not every person can equally enjoy human rights.

Further on the Government of the United States refers to paragraph 2 of Article 2 of the Treaty of Peace, which, among others, obliges Hungary not to discriminate by her laws between Hungarian citizens in reference to "their persons, property, business, professional and financial

interests", etc. The Government of Hungary categorically protests such an interpretation of this article of the Treaty of Peace which would dispute the legality of the measures taken by this Government by which it has passed the large estates into the hands of the people and declared common property the capitalist monopolies. This kind of interpretation of the Treaty of Peace equals the defense of the medieval latifundia, capitalist monopolies and their owners who were the principal supports of fascism in Hungary and at the same time Hitler's most ardent henchmen in the war against the Allied and Associated Powers and thus against the United States of America. Consequently, the above interpretation of the Treaty of Peace does not only mean the defense of large estates and capitalist monopolies, but it also means that the Government of the United States wishes to help the adherents of the reactionary and fascist régime who were in power in Hungary and to hamper the successful democratic transformation of the country.

The Government of Hungary calls the attention of the Government of the United States to Article 4 of the Treaty of Peace which explicitly obliges Hungary not only to dissolve the fascist organizations but also not to allow "the existence and activities of organizations of that nature, which have as their aim denial to the people of their democratic right". The Government of Hungary points out that it has been and is proceeding in the sense of these provisions of the Treaty of Peace, when dissolving the organizations and parties aiming at the restoration of the old fascist régime and when summoning to Court those who pursue an activity to overthrow the democratic Republic. The protest of the Government of the United States against the measures taken against the fascist and anti-democratic organizations by the Government of Hungary, when fulfilling the provisions of the Treaty of Peace, makes it obvious that it does not intend to respect the Treaty of Peace but wishes to extend its support to those reactionary and anti-democratic elements who would like to restore the rule of the large estates and the monopolies in Hungary.

The Government of Hungary states that, while the Republic of Hungary has rigorously observed the stipulations of the Treaty of Peace, the Government of the United States repeatedly violated the provisions of the Treaty of Peace with Hungary. One of the military officials of the United States, General L. D. Clay, abrogated by a stroke of the pen Article 30 of the Treaty of Peace which stipulates, that Hungarian property taken to Germany should be restituted. As a result of this violation of the Treaty of Peace, Hungarian property in the value of several hundred millions of forints got lost in the American occupation zone of Germany. Contrary to the stipulations of the Treaty of Peace and other international agreements, the American authorities several times refused the extradition of the Hungarian war criminals applied for by Hungary, on the one hand, and on the other they are giving full and official support to the most responsible Hungarian criminals of the fascist war, such as the former Regent Miklos Horthy, Colonel-General Ferenc Kisbarnaky Farkas, Lieutenant-General Gusztav Hennyey who waged war with fascist methods also against the United States and are still openly professing fascism. The support systematically given by official quarters of the United States in the last years to the conspiratory organizations of reactionary Hungarian politicians is also incompatible

with the spirit of the Treaty of Peace. The Hungarian Court established as a fact that the Minister Plenipotentiary of the United States and other United States officials have actively collaborated with reactionary conspiratory organizations aiming at the overthrow of the democratic Republic of Hungary, recognized by the Treaty of Peace, and desirous to restore the old régime brand-marked in the Treaty of Peace.

The Government of Hungary declares once more that Hungary has fulfilled, fulfils and will fulfil all obligations embodied in the Treaty of Peace. At the same time, the Government of Hungary emphatically protests the tendency of the Government of the United States to use the stipulations of the Treaty of Peace as a pretext for illegitimate interference in the domestic affairs of the sovereign Hungarian State and for supporting the reactionary and fascist forces opposed to the Government of Hungary. On the basis of the above-exposed arguments the Hungarian Government considers the note of the United States a new attempt at illegitimate interference in the domestic affairs of this country and a new phase in the campaign of reactionary incitement pursued by the imperialist quarters of the United States in the service of their aims threatening peace and directed against the Hungarian people's democracy.

For these reasons the Government of Hungary emphatically rejects the note of the Government of the United States.

The Hungarian Ministry for Foreign Affairs avails itself of the opportunity, etc.

Annex 5

BULGARIAN NOTE TO THE UNITED STATES

[Original text : French]

21 April, 1949.

The Ministry of Foreign Affairs of the People's Republic of Bulgaria has the honor to inform the Legation of the United States that it has taken cognizance of the tenor of the Legation's note No. 130.

The Government of the People's Republic of Bulgaria has always carried out and will carry out in a most conscientious manner the clauses of the Peace Treaty and this not only because this Government is signatory to the said Treaty, but also because its policy, expression of the will of the overwhelming majority of the Bulgarian people, is, by its inherent nature, profoundly democratic, and corresponds fully to the letter and spirit of Articles 2, 3, 4, and 5 of the Peace Treaty.

1. Even before the entry into force of the Peace Treaty, the Bulgarian Government had undertaken all measures dependent on it (its will) for the guaranteeing of the fundamental civil liberties as well as the political rights of Bulgarian citizens, without distinction of race, nationality, sex or creed.

(a) This Government convoked, on the basis of universal, secret, equal and direct suffrage, a Grand National Assembly which elaborated the constitutional law of the country, and this Constitution not only

consecrated in a solemn manner the fundamental rights and freedoms of Bulgarian citizens—rights and freedoms which are the subject matter of Article 2 of the Peace Treaty—but also guaranteed their effective exercise.

(b) At the same time, this Government took the necessary measures for the definitive liquidation of the fascist régime and the elimination of every attempt to deprive the nation of its democratic rights and freedoms. These measures of the Government were in conformity with the text itself of Article 4 of the Treaty, and moreover, the new Bulgarian Constitution which came into force on 5 December, 1947, guaranteed to the Bulgarian people the necessary right and power to condemn to failure all attempts of fascist or anti-democratic restoration in Bulgaria. In the presence of such well-known facts, it is strange that the Government of the United States could formulate against Bulgaria accusations of non-observance and violation of the political clauses of the Peace Treaty, and of Article 2 of the said Treaty in particular.

2. Similarly, it is surprising that the Government of the United States has deemed it necessary to support its accusations of violations of the Peace Treaty in force since 15 September, 1947, by evoking facts going back to the Armistice period, at a time when the three great Powers disposed of measures to exercise a wide control over the administration of the country.

3. On the other hand, the note of the United States Government relates to certain facts and acts of the Bulgarian Government, such as trials, etc., which have taken place after the entry into force of the Peace Treaty. The Bulgarian Government having taken all measures to ensure compliance with all the political clauses of the Peace Treaty, and notably after Bulgaria had been granted the most democratic constitution in the world, and the people had been guaranteed legal power to exercise and defend its rights and freedom, the Bulgarian Government, as government of a sovereign State, cannot agree to permit to other States the appreciation of its acts, for which it is solely responsible to the National Assembly. This Government can even less agree to suffer the criticism of foreign Powers, in so far as the activities of Bulgarian courts are concerned, being in existence by virtue of the Constitution and functioning in public in accordance with the most modern and most democratic of laws.

The Bulgarian Government will repel every attempt at interference in the domestic affairs of Bulgaria and will consider as an unfriendly act any attempt to force it to accept treatment as a State whose internal acts would be subject to judgment by foreign Powers.

4. As regards the essence of the accusations formulated in the note of the United States Government, the Bulgarian Government, without wishing to discuss their compass, rejects them energetically. Under the régime of people's democracy in Bulgaria, the toiling masses of towns and villages, which constitute the immense majority of the nation, enjoy not only on paper but also in fact all fundamental political rights and freedoms of man. Restrictions on the exercise of the freedom of meeting or of association, of the freedom of speech or of press, do not exist and are not applied in Bulgaria excepting in the cases provided by

the law against infringers and in the interest itself of public security, maintenance of order and public morals of the people.

In conclusion, the Government of the People's Republic of Bulgaria considers the note of the Honorable Legation of the United States as unfounded, and its tenor, rendered public by the United States Government immediately after it had been delivered and long before the present reply, as unfriendly propaganda, incompatible with the principles of international law, and of a nature to encourage the pro-fascist and hostile elements in the country.

The Ministry of Foreign Affairs of the People's Republic of Bulgaria avails itself of this opportunity, etc.

Annex 6

RUMANIAN NOTE TO THE UNITED STATES

Note verbale

[Original text : Romanian]

18 April, 1949.

The Ministry of Foreign Affairs presents its compliments to the Legation of the United States and has the honor to transmit the following on behalf of the Government of the Rumanian People's Republic.

On 2 April the Legation of the United States in Bucharest presented a note to the Ministry of Foreign Affairs of the Rumanian People's Republic on behalf of the American Government in which as in former notes certain affirmations were made by the Government of the United States with reference to violation by the Rumanian Government of the provisions of Article 3 of the Peace Treaty.

The Government of the Rumanian People's Republic maintains that the context of the note of the United States Government with reference to the violation by the Rumanian Government of human rights and of fundamental freedoms does not correspond to reality and that it repeats the inventions of the slanderous press of the imperialist monopolists.

In the Rumanian People's Republic the exercise of the fundamental freedoms, freedom of assembly, of demonstrations, of the press and of speech are guaranteed by the Constitution and these are assured by making available to those who work printing facilities, supplies of paper and meeting places.

Discrimination because of nationality or race is punishable by law.

Religious organizations enjoy freedom of worship and are given the places and means necessary for the exercise of their religion.

Thus the laws of the Rumanian People's Republic in fact guarantee the application of the provisions of Article 3 of the Peace Treaty.

The Rumanian Government declares that the United States Government has transgressed and is transgressing the Peace Treaty with

Rumania by trying to prevent the application of Article 5 of the Peace Treaty which provides that the Rumanian Government will not permit the existence and activities of any organizations of a fascist type and which have as their aim denial to the people of their democratic rights.

The note of the United States Government in support of its affirmations cites steps taken by the Rumanian Government against fascist remnants as well as the sentences pronounced by the courts of the Rumanian People's Republic against the groups of spies and saboteurs in the service of the American espionage services.

The public trials of these bands composed of the leaders of the former National Peasant Party, legionnaires, large landowners and great industrialists who tried to transform Rumania into a new breeding ground of war, have shown beyond any doubt that these persons received instructions from and were led by members of the United States Mission in Bucharest. Even the American press has admitted that their discovery and their sentencing constituted a blow to the American espionage services.

The Rumanian Government declares that the United States Government is encouraging the activities and the organization of fascist fugitives, of squanderers of public funds, of traitors from Rumania who are in the United States or on territory under American control by granting asylum, by placing at their disposal official radio channels, etc.

Under these circumstances, the Rumanian Government declares that the note of the United States Government, as well as former notes, endeavors to lead astray world public opinion which condemns its policy of racial discrimination, its barbarous acts of lynching, its drowning out of democratic political opinion, its trials of men of culture and representatives of the working people who fight for democracy and peace, its incitement to war and policy of aggressive pacts, its nurturing of breeding grounds of war, and its support of fascist bands which kill women and children *en masse*, all of which are in reality a brutal violation of the fundamental rights and liberties of man.

In consequence, the Government of the Rumanian People's Republic declares that it cannot accept the attempt of the United States Government to interfere in the internal affairs of Rumania and it rejects the note of the Government of the United States.

Annex 7

UNITED STATES NOTE TO BULGARIA

[Original text : English]

31 May, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Bulgaria and, acting under the instructions of the United States Government, has the honor to reply

to the Ministry's Note of 21 April, 1949, concerning the question of Bulgaria's compliance with the obligations of Article 2 of the Treaty of Peace.

The United States Government, taking note of the Bulgarian Government's rejection of the statements made in the Legation's note of 2 April, 1949, concerning Bulgaria's disregard of its obligations under Article 2, finds it necessary to place on record its view that the Bulgarian Government has not given a satisfactory reply to the specific charges set forth in the Legation's note. The Bulgarian Government has also failed to furnish the United States Government with the requested information as to measures which the Bulgarian Government is prepared to adopt in order to remedy the situation caused by the violation of its obligations under Article 2 and to implement fully the terms of that article. The remaining portions of the Bulgarian Government's note of 21 April consist of allegations against the United States which are demonstrably false and irrelevant to the matter at hand.

The United States Government accordingly considers that a dispute has arisen concerning the interpretation and execution of the Treaty of Peace which the Bulgarian Government has shown no disposition to join in settling by direct diplomatic negotiations.

The American Minister has therefore been instructed by his Government to refer the dispute to his British and Soviet colleagues for consideration jointly with himself in accordance with the provisions of Article 36 of the Treaty of Peace. Copies of his letters to the Ambassador of the Union of Soviet Socialist Republics and to the British Minister inviting them to meet for this purpose are enclosed.

Annex 8

UNITED STATES NOTE TO HUNGARY

[Original text : English]

31 May, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and, acting under instructions of the United States Government, has the honor to reply to the Ministry's note of 8 April, 1949, concerning the question of Hungary's compliance with the obligations of Article 2 of the Treaty of Peace.

The United States Government, taking note of the Hungarian Government's rejection of the statements made in the Legation's note of 2 April, 1949, concerning Hungary's disregard of its obligations under Article 2, finds it necessary to place on record its view that the Hungarian

Government has not given a satisfactory reply to the specific charges set forth in the Legation's note. The Hungarian Government has also failed to furnish the United States Government with the requested information as to measures which the Hungarian Government is prepared to adopt in order to remedy the situation caused by the violation of its obligations under Article 2 and to implement fully the terms of that article. The United States Government cannot accept the Hungarian Government's contention that the matters dealt with in the United States note are purely domestic affairs or the contention that Hungary has complied with the obligations of Article 2 of the Treaty of Peace merely by the formal repeal of the discriminatory legislation of the Horthy régime. Nor can the United States Government agree that violations of Article 2 can be excused by reference to Hungary's obligations under Article 4 of the Treaty. Persecution of all political leaders and parties not amenable to the dictates of the minority ruling group and denial of freedom of expression cannot properly be justified under any article of the Treaty.

The remaining portions of the Hungarian Government's note of 8 April including references to other articles of the Treaty of Peace, consist of allegations against the United States which are demonstrably false and irrelevant to the matter at hand. The United States Government rejects categorically the unwarranted accusations that it has supported reaction and conspiracies in Hungary, accusations which will not obscure the real issues raised by the United States note of 2 April.

The United States Government accordingly considers that a dispute has arisen concerning the interpretation and execution of the Treaty of Peace which the Hungarian Government has shown no disposition to join in settling by direct diplomatic negotiations.

The American Minister has therefore been instructed by his Government to refer the dispute to his British and Soviet colleagues for consideration jointly with himself in accordance with the provisions of Article 40 of the Treaty of Peace. Copies of his letters to the Ambassador of the Union of Soviet Socialist Republics and to the British Minister inviting them to meet for this purpose are enclosed.

Annex 9

UNITED STATES NOTE TO RUMANIA

[Original text : English]

31 May, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and, acting under the instructions of the United States Government, has the honor to reply to the Ministry's note of 18 April, 1949, concerning the question of Rumania's compliance with the obligations of Article 3 of the Treaty of Peace.

The United States Government, taking note of the Rumanian Government's rejection of the statements made in the Legation's note of 2 April, 1949, concerning Rumania's disregard of its obligations under Article 3, finds it necessary to place on record its view that the Rumanian Government has not given a satisfactory reply to the specific charges set forth in the Legation's note. The Rumanian Government has also failed to furnish the United States Government with the requested information as to measures which the Rumanian Government is prepared to adopt in order to remedy the situation caused by the violation of its obligations under Article 3 and to implement fully the terms of that article. The United States Government cannot accept the Rumanian Government's contention that the matters dealt with in the United States note are purely domestic affairs or the contention that Rumania has complied with the obligations of Article 3 of the Treaty of Peace merely by the formal enactment of laws purporting to guarantee the application of the provisions of that article. The remaining portions of the Rumanian Government's note of 18 April including references to other articles of the Treaty of Peace, consist of allegations against the United States which are demonstrably false and irrelevant to the matter at hand. The United States Government rejects categorically the unwarranted accusations that it has supported reaction and conspiracies in Rumania, accusations which will not obscure the real issues raised by the United States note of 2 April.

The United States Government accordingly considers that a dispute has arisen concerning the interpretation and execution of the Treaty of Peace which the Rumanian Government has shown no disposition to join in settling by direct diplomatic negotiations.

The American Minister has therefore been instructed by his Government to refer the dispute to his British and Soviet colleagues for consideration jointly with himself in accordance with the provisions of Article 38 of the Treaty of Peace. Copies of his letters to the Ambassador of the

Union of Soviet Socialist Republics and to the British Minister inviting them to meet for this purpose are enclosed.

Annex 10

LETTER OF THE UNITED STATES MINISTER IN SOFIA TO THE SOVIET
AMBASSADOR

[Original text : English]

31 May, 1949.

Excellency,

Pursuant to instructions from my Government, I have the honor to transmit for your attention a copy of a note communicated by this Legation to the Ministry of Foreign Affairs of Bulgaria, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Bulgaria of Article 2 of the Treaty of Peace. You will note that the United States Government, in the note of 2 April, called upon the Bulgarian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of that article.

I enclose for your attention a copy of the reply of the Bulgarian Government, dated 21 April 1949, rejecting the charges contained in this Legation's note and stating that Bulgaria has carried out its obligations under the Treaty of Peace. The Bulgarian note fails to answer the serious and specific charges of violation of human rights made by the Government of the United States, and makes no statement as to what steps Bulgaria is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Bulgarian Government that the United States note of 2 April represents an attempt to interfere in the internal affairs of Bulgaria cannot be accepted, since the charges made in the United States note are based on the clear international treaty obligation of Bulgaria to secure to all persons within its jurisdiction the enjoyment of human rights and fundamental freedoms.

In the circumstances the United States Government considers the Bulgarian reply unsatisfactory and is informing the Bulgarian Government to that effect in a note of to-day's date, a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Bulgaria that a dispute exists between them concerning the interpretation and execution of Article 2 of the Peace Treaty. It is also apparent from the Bulgarian Government's note that the Bulgarian Government is not

disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 36 of the Treaty of Peace and to invoke the procedure specified herein. This article reads as follows :

"Article 36

1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 35, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the British Minister and with me in order that in our capacity as Heads of Mission, referred to in Article 36, we may consider the dispute in question.

It is my understanding that the British Minister is sending you to-day a communication similar to my present letter, calling attention to the existence of a dispute between the United Kingdom and Bulgaria concerning Bulgaria's non-compliance with Article 2 of the Peace Treaty, and invoking the procedures laid down in Article 36. I should like to suggest, for purposes of convenience, that these two disputes be considered together by the three heads of mission.

I am sending the British Minister to-day a letter similar to the present letter to you. Copies of both letters are being furnished to the Bulgarian Government.

With renewed assurances of my high esteem, believe me, etc.

(Signed) DONALD R. HEATH.

*Annex II*LETTER OF THE UNITED STATES CHARGÉ D'AFFAIRES IN BUDAPEST TO THE
SOVIET AMBASSADOR

[Original text : English]

31 May, 1949.

Excellency,

Pursuant to instructions from my Government, I have the honor to transmit for your attention a copy of the note communicated by this Legation to the Ministry of Foreign Affairs of Hungary, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Hungary of Article 2 of the Treaty of Peace. You will note that the United States Government, in the Legation's note of 2 April, called upon the Hungarian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of that article.

I also enclose for your attention a copy of the reply of the Hungarian Government, dated 9 April, 1949, rejecting the charges contained in this Legation's note and stating that Hungary has carried out its obligations under the Treaty of Peace. The Hungarian note fails to answer the serious and specific charges of violations of human rights made by the Government of the United States, and makes no statement as to what steps Hungary is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Hungarian Government that the United States note of 2 April represents an attempt to interfere in the internal affairs of Hungary cannot be accepted, since the charges made in the United States note are based on the clear international treaty obligation of Hungary to secure to all persons within its jurisdiction the enjoyment of human rights and of the fundamental freedoms.

In the circumstances, the United States Government considers the Hungarian reply unsatisfactory and is informing the Hungarian Government to that effect in a note of to-day's date, a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Hungary that a dispute exists between them concerning the interpretation and execution of Article 2 of the Peace Treaty. It is also apparent from the Hungarian Government's note that the Hungarian Government is not disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 40 of the Treaty of Peace and to invoke the procedure therein. This article reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled

by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the British Minister and with me in order that in our capacity as Heads of Mission, referred to in Article 40, we may consider the dispute in question.

It is my understanding that the British Minister is sending you to-day a communication similar to my present letter, calling attention to the existence of a dispute between the United Kingdom and Hungary with regard to Hungary's non-compliance with Article 2 of the Peace Treaty, and invoking the procedures laid down in Article 40. I should like to suggest, for purposes of convenience, that these two disputes be considered together by the three Heads of Mission.

I am sending the British Minister to-day a letter similar to the present letter to you. Copies of both letters are being furnished to the Hungarian Government.

Accept, Excellency, the assurances, etc.

(Signed) WILLIAM P. COCHRAN, Jr.

Enclosures :

1. Copy of American Legation note to Hungarian Ministry of Foreign Affairs dated 2 April, 1949.
2. Copy of Hungarian Government note to American Legation dated 9 April, 1949.
3. Copy of American Legation note to Hungarian Ministry of Foreign Affairs dated 31 May, 1949.

*Annex 12*LETTER OF THE UNITED STATES MINISTER IN BUCHAREST TO THE SOVIET
AMBASSADOR

[Original text : English]

LEGATION OF THE UNITED STATES OF AMERICA

31 May, 1949.

Excellency,

Pursuant to instructions from my Government I have the honor to transmit for your attention a copy of the note communicated by this Legation to the Ministry of Foreign Affairs of Rumania, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Rumania of Article 3 of the Treaty of Peace. You will note that the United States Government, in the Legation's note of April 2, called upon the Rumanian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of the article.

I also enclose for your attention a copy of the reply of the Rumanian Government, dated 18 April, 1949, rejecting the charges contained in this Legation's note and stating that Rumania has carried out its obligations under the Treaty of Peace. The Rumanian note fails to answer the serious and specific charges of violations of human rights made by the Government of the United States, and makes no statement as to what steps Rumania is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Rumanian Government that the United States note of 2 April represents an attempt to interfere in the internal affairs of Rumania cannot be accepted, since the charges made in the United States note are based on the clear international treaty obligation of Rumania to secure to all persons under its jurisdiction the enjoyment of human rights and of the fundamental freedoms.

In the circumstances the United States Government considers the Rumanian reply unsatisfactory and is informing the Rumanian Government to that effect in a note of to-day's date a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Rumania that a dispute exists between them concerning the interpretation and execution of Article 3 of the Treaty of Peace. It is also apparent from the Rumanian Government's note that the Rumanian Government is not disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 38 of the Treaty of Peace and to invoke the procedure specified therein. This article reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty any dispute concerning the

interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 37, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months, shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the British Minister and with me in order that in our capacity as Heads of Mission, referred to in Article 38, we may consider the dispute in question.

It is my understanding that the British Minister is sending you to-day a communication similar to my present letter, calling attention to the existence of a dispute between the United Kingdom and Rumania concerning Rumania's non-compliance with Article 3 of the Treaty of Peace, and invoking the procedure laid down in Article 38. I should like to suggest, for purposes of convenience, that these two disputes be considered together by the three Heads of Mission.

I am sending the British Minister to-day a letter similar to the present letter to you. Copies of both letters are being furnished to the Rumanian Government.

I avail myself of this opportunity, etc.

(Signed) RUDOLF E. SCHOENFELD.

Enclosures : three.

Annex 13

LETTER OF THE UNITED STATES MINISTER IN SOFIA TO THE BRITISH MINISTER

[Original text : English]

31 May, 1949.

My dear Mr. Minister,

Pursuant to instructions from my Government, I have the honor to transmit for your attention a copy of a note communicated by this

Legation to the Ministry of Foreign Affairs of Bulgaria, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Bulgaria of Article 2 of the Treaty of Peace. You will note that the United States Government, in the note of 2 April, called upon the Bulgarian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of that article.

I enclose for your attention a copy of the reply of the Bulgarian Government, dated 21 April, 1949, rejecting the charges contained in this Legation's note and stating that Bulgaria has carried out its obligations under the Treaty of Peace. The Bulgarian note fails to answer the serious and specific charges of violation of human rights made by the Government of the United States, and makes no statement as to what steps Bulgaria is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Bulgarian Government that the United States note of 2 April represents an attempt to interfere in the internal affairs of Bulgaria cannot be accepted, since the charges made in the United States Note are based on the clear international treaty obligation of Bulgaria to secure to all persons within its jurisdiction the enjoyment of human rights and fundamental freedoms.

In the circumstances the United States Government considers the Bulgarian reply unsatisfactory and is informing the Bulgarian Government to that effect in a note of to-day's date, a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Bulgaria that a dispute exists between them concerning the interpretation and execution of Article 2 of the Peace Treaty. It is also apparent from the Bulgarian Government's note that the Bulgarian Government is not disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 36 of the Treaty of Peace and to invoke the procedure specified herein. This article reads as follows :

"Article 36

1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 35, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of

one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the Russian Ambassador and with me in order that in our capacity as Heads of Mission, referred to in Article 36, we may consider the dispute in question.

I am sending the Russian Ambassador to-day a letter similar to the present letter to you. Copies of both letters are being furnished to the Bulgarian Government.

With renewed assurances, etc.

(Signed) DONALD R. HEATH.

Enclosures :

1. Legation note of 2 April, 1949, to the Ministry of Foreign Affairs.
2. Reply of the Bulgarian Government dated 21 April, 1949.

Annex 14

LETTER OF THE UNITED STATES CHARGÉ D'AFFAIRES IN BUDAPEST TO THE
BRITISH MINISTER

[Original text : English]

31 May, 1949.

Excellency,

Pursuant to instructions from my Government, I have the honor to transmit for your attention a copy of the note communicated by this Legation to the Ministry of Foreign Affairs of Hungary, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Hungary of Article 2 of the Treaty of Peace. You will note that the United States Government, in the Legation's note of 2 April called upon the Hungarian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of that article.

I also enclose for your attention a copy of the reply of the Hungarian Government, dated 9 April, 1949, rejecting the charges contained in this Legation's note and stating that Hungary has carried out its obligations under the Treaty of Peace. The Hungarian note fails to answer the serious and specific charges of violations of human rights made by the Government of the United States, and makes no statement as

to what steps Hungary is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Hungarian Government that the United States note of 2 April represents an attempt to interfere in the internal affairs of Hungary cannot be accepted, since the charges made in the United States note are based on the clear international treaty obligation of Hungary to secure to all persons within its jurisdiction the enjoyment of human rights and of the fundamental freedoms.

In the circumstances, the United States Government considers the Hungarian reply unsatisfactory and is informing the Hungarian Government to that effect in a note of to-day's date, a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Hungary that a dispute exists between them concerning the interpretation and execution of Article 2 of the Peace Treaty. It is also apparent from the Hungarian Government's note that the Hungarian Government is not disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 40 of the Treaty of Peace and to invoke the procedure therein. This article reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the Ambassador of the Soviet Union and with me in order that in our capacity as Heads of Mission, referred to in Article 40, we may consider the dispute in question.

It is my understanding that you are sending to the Soviet Ambassador to-day a communication similar to the present letter, calling attention to the existence of a dispute between the United Kingdom and Hungary

with regard to non-compliance with Article 2 of the Peace Treaty and invoking the procedures laid down in Article 40 ; and that the Governments of Canada, Australia and New Zealand are associating themselves in this step. I should like to suggest, for purposes of convenience, that the two disputes be considered together by the three Heads of Mission.

I am sending to the Ambassador of the Union of Soviet Socialist Republics to-day a letter similar to the present letter to you and I am furnishing copies of both communications to the Hungarian Government. Accept, Excellency, the assurances, etc.

(Signed) WILLIAM P. COCHRAN, Jr.

Enclosures :

1. Copy of American Legation note to Hungarian Ministry of Foreign Affairs, dated 2 April, 1949.
2. Copy of Hungarian Government note to American Legation, dated 9 April, 1949.
3. Copy of American Legation note to Hungarian Ministry of Foreign Affairs, dated 31 May, 1949.

Annex 15

LETTER OF THE UNITED STATES MINISTER IN BUCHAREST TO THE BRITISH MINISTER

[Original text : English]

31 May, 1949.

Excellency,

Pursuant to instructions from my Government I have the honor to transmit for your attention a copy of the note communicated by this Legation to the Ministry of Foreign Affairs of Rumania, under date of 2 April, 1949, in which the United States Government made formal charges of repeated and systematic violations by Rumania of Article 3 of the Treaty of Peace. You will note that the United States Government, in the Legation's note of 2 April, called upon the Rumanian Government to adopt remedial measures and to specify the steps which it was prepared to take in order to implement fully the terms of the article.

I also enclose for your attention a copy of the reply of the Rumanian Government, dated 18 April, 1949, rejecting the charges contained in this Legation's note and stating that Rumania has carried out its obligations under the Treaty of Peace. The Rumanian note fails to answer the serious and specific charges of violation of human rights made by the Government of the United States, and makes no statement as to which steps Rumania is prepared to take in order to remedy the conditions forming the basis for those charges. The specious argument put forward by the Rumanian Government that the United States note of 2 April

represents an attempt to interfere in the internal affairs of Rumania cannot be accepted, since the charges made in the United States note are based on the clear international treaty obligation of Rumania to secure to all persons under its jurisdiction the enjoyment of human rights and of the fundamental freedoms.

In the circumstances, the United States Government considers the Rumanian reply unsatisfactory and is informing the Rumanian Government to that effect in a note of to-day's date a copy of which is attached to this letter.

It is evident from the exchange of notes which has taken place between the United States Government and the Government of Rumania that a dispute exists between them concerning the interpretation and execution of Article 3 of the Treaty of Peace. It is also apparent from the Rumanian Government's note that the Rumanian Government is not disposed to resolve this dispute by direct diplomatic negotiations. Accordingly, I am requested by my Government to invite your attention to Article 38 of the Treaty of Peace and to invoke the procedure specified therein. This article reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 37, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months, shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

In accordance with the above procedure I should appreciate your indicating at your earliest convenience when you would be prepared to meet with the Russian Ambassador and with me in order that in our capacity as Heads of Mission, referred to in Article 38, we may consider the dispute in question.

It is my understanding that you are sending to-day to the Soviet Ambassador a communication similar to my present letter, calling attention to the existence of a dispute between the United Kingdom and Rumania concerning Rumania's non-compliance with Article 3 of the Treaty of Peace and invoking the procedures laid down in Article 38.

I should like to suggest, for purposes of convenience, that these two disputes be considered together by the three Heads of Mission.

I am sending the Soviet Ambassador to-day a letter similar to the present letter to you. Copies of both letters are being furnished to the Rumanian Government.

I avail myself of this opportunity, etc.

(Signed) RUDOLF E. SCHOENFELD.

Enclosures : three.

Annex 16

LETTER OF THE BRITISH MINISTER IN SOFIA TO THE UNITED STATES
MINISTER

[Original text : English]

BRITISH LEGATION

31 May, 1949.

Your Excellency,

I have the honour to acknowledge the receipt of your note of to-day's date informing me of the action which you have taken to call attention to the existence of a dispute between the United States Government and the Bulgarian Government concerning the interpretation and execution of Article 2 of the Peace Treaty, and enquiring whether I should be prepared to meet with you and with the Ambassador of the Soviet Union, as provided under Article 36 of the Treaty, to consider this dispute.

2. I have the honour to state in reply that I shall be happy to take part in such joint consideration at any time and place which may be convenient to you and to the Soviet Ambassador.

3. I am sending copies of this note to the Soviet Ambassador and the Bulgarian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) PAUL MASON.

Annex 17

LETTER OF THE BRITISH MINISTER IN BUDAPEST TO THE UNITED STATES
CHARGÉ D'AFFAIRES

[Original text : English]

BRITISH LEGATION

1 June, 1949.

Sir,

I have the honour to acknowledge the receipt of the communication, dated 31 May, 1949, in which you invited me to join with you and the

Soviet Ambassador in considering the dispute which has arisen out of the reply of the Hungarian Government, of 9 April last, to your Legation's note of 2 April, regarding the violation of Article 2 of the Peace Treaty with Hungary. In that communication you were also so good as to send me copies of further communications, dated 31 May, 1949, which you have addressed to the Hungarian Ministry of Foreign Affairs, and to His Excellency the Soviet Ambassador.

2. You will be aware from my own letter to you of 31 May, with which I forwarded to you copies of correspondence between this Legation and the Hungarian Ministry of Foreign Affairs, that my Government, and the Canadian, Australian and New Zealand Governments, having charged the Hungarian Government with similar infractions of the Peace Treaty, have found, like your own, that the Hungarian reply to this charge is unsatisfactory; and have decided, for their part also, to invoke the procedure laid down in Article 40 of the Treaty for the settlement of a "dispute concerning the interpretation or execution of the Treaty".

3. In these circumstances, I have the honour to inform you that I shall for my part be ready, at any time which may be mutually agreed, to join with you and His Excellency the Soviet Ambassador in the simultaneous consideration of these disputes.

I am sending a copy of this letter to our Soviet colleague.

(Signed) G. A. WALLINGER.

Annex 18

LETTER OF THE BRITISH MINISTER IN BUCHAREST TO THE UNITED STATES
MINISTER

[Original text : English]

BRITISH LEGATION

1 June, 1949.

Your Excellency,

I have the honour to acknowledge the receipt of your letter of 31 May, 1949, informing me of the action you have taken with a view to convoking a meeting of the Heads of the United States, Soviet and British Missions in Roumania to discuss the dispute that has arisen regarding the violations of Article 3 of the Treaty of Peace by the Roumanian Government.

I shall be pleased to meet with the Soviet Ambassador and yourself at any time that may be mutually agreeable.

I avail myself of this opportunity, etc.

(Signed) W. ST. ROBERTS.

Annex 19

UNION OF SOVIET SOCIALIST REPUBLICS NOTE TO THE UNITED STATES

[Original text : Russian]

11 June, 1949.

In connexion with the note of the Acting Secretary of State to the Soviet Ambassador in Washington dated 31 May, 1949, as well as in connexion with the notes of the Missions of the U.S.A. in Bulgaria, Hungary, and Rumania, delivered on the same day to the Ambassadors of the U.S.S.R. in the afore-mentioned countries, regarding the calling of a conference of the three Heads of the Diplomatic Missions for a consideration of the dispute which has arisen between the Government of the U.S.A. and the Governments of Bulgaria, Hungary, and Rumania concerning the interpretation of the Peace Treaties, the Embassy of the Union of Soviet Socialist Republics, upon instructions from the Soviet Government, states the following :

The Soviet Government has studied the afore-mentioned notes, as well as the notes of the Government of the U.S.A. dated 2 April of this year to Bulgaria, Hungary, and Rumania, in which the Government of the U.S.A. accuses these countries of violating the Peace Treaties and, in particular, those articles of the Treaties which have to do with the security of human rights and the fundamental freedoms. The Soviet Government has also studied the notes of the Governments of Bulgaria, Hungary, and Rumania in reply to the Government of the U.S.A.

The Government of the Union of Soviet Socialist Republics considers that in the notes in reply of the Governments of Bulgaria, Hungary, and Rumania to which reference has been made an exhaustive reply has been given to the accusations of violating the Peace Treaty which were made to these countries by the Government of the U.S.A. It is evident from these replies that the Governments of Bulgaria, Hungary, and Rumania are strictly fulfilling the obligations undertaken by them under the Peace Treaties, including the obligations having to do with the security of human rights and the fundamental freedoms.

The measures of the Governments of Bulgaria, Hungary, and Rumania concerning which the Government of the U.S.A. expressed its dissatisfaction in the notes of 2 April of this year, not only are not a violation of the Peace Treaties, but on the contrary, are directed toward the fulfilment of the Peace Treaties which obligate the said countries to combat organizations of the fascist type and other organizations "which have as their aim denial to the people of their democratic rights". It is self-evident that such measures carried out by Bulgaria, Hungary, and Rumania for the purpose of fulfilling the articles of the Peace Treaties are fully within the domestic competence of these countries as sovereign States.

The Soviet Government appraises the aim of the Government of the U.S.A. artificially to convert this question into a subject of dispute as a direct attempt to utilize the Peace Treaties for intervention in the domestic affairs of Bulgaria, Hungary, and Rumania, with the aim of exerting pressure on their domestic policy.

In view of this, the Embassy of the U.S.S.R. is authorized to state that the Soviet Government does not see any ground for convening the three Heads of the Diplomatic Missions for the purpose of considering the questions touched upon in the notes of the Missions of the U.S.A. to Bulgaria, Hungary, and Rumania dated 31 May of this year, and in the Department of State's note of the same date.

Annex 20

UNITED STATES NOTE TO THE UNION OF SOVIET SOCIALIST REPUBLICS

[Original text : English]

30 June, 1949.

The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and has the honor to acknowledge receipt of the Embassy's note No. 74 of 11 June 1949. The Embassy's note stated the views of the Soviet Government with reference to (1) the Acting Secretary of State's note of 31 May, 1949, transmitting for the information of the Governments of the Byelorussian Soviet Socialist Republic and of the Ukrainian Soviet Socialist Republic, as signatories to the Treaties of Peace with Bulgaria, Hungary and Rumania, copies of notes exchanged between the United States Government and the Governments of Bulgaria, Hungary and Rumania concerning disputes arising out of violations of the clauses of the respective Treaties of Peace which guarantee the enjoyment of human rights to all persons under the jurisdiction of those three States ; and (2) the letters sent on 31 May, 1949, by the American Chiefs of Mission in Bulgaria, Hungary and Rumania to their Soviet colleagues requesting that the Heads of Mission of the United States, the United Kingdom and the Union of Soviet Socialist Republics in those three countries meet, in accordance with the terms of the Peace Treaties, to consider the disputes which have arisen concerning the interpretation and execution of the Treaties.

It is noted that no direct reply has been made by the Soviet Ambassadors in Bulgaria, Hungary and Rumania to the above-mentioned letters of the American Chiefs of Mission.

The United States Government regrets that the Government of the Union of Soviet Socialist Republics, by its refusal to co-operate in the

consideration of the disputes by the three Heads of Mission in Bulgaria, Hungary and Rumania, has itself shown disregard for the stipulations of the Peace Treaties providing explicitly that any dispute concerning the interpretation or execution of the Treaties which is not settled by direct diplomatic negotiations shall be referred to the three Heads of Mission.

The existence of disputes between the United States Government and the Governments of Bulgaria, Hungary and Rumania respectively cannot be questioned. According to notes exchanged with these three Governments, the United States Government has charged them with repeated and systematic violations of certain clauses of the Treaties of Peace, and they have replied asserting that their acts do not constitute such violations. The Soviet Government, in the Embassy's note of 11 June, 1949, has associated itself with the position of the Governments of Bulgaria, Hungary and Rumania in denying that the Treaties have been violated. This interpretation is disputed by the United States and by other signatories of the Treaties of Peace. The procedures set forth in Article 36 of the Treaty of Peace with Bulgaria, Article 40 of the Treaty of Peace with Hungary, and Article 38 of the Treaty of Peace with Rumania are precisely applicable to these disputes.

The opinions of the Soviet Government on the merits of the disputes, as expressed in the Embassy's note of 11 June, deserve full consideration. They are, however, irrelevant to the question whether or not disputes exist and to the matter of instituting the procedures called for by the above-mentioned articles of the Treaties of Peace.

The Embassy's note states that "it is self-evident that the measures carried out by Bulgaria, Hungary and Rumania with the aim of fulfilling the articles of the Treaties of Peace rest wholly within the internal competence of these countries as sovereign States". The United States Government cannot agree that the fulfilment of international treaty obligations can be considered as a purely domestic affair. The application of such a theory would not only permit the total circumvention of treaty obligations but would destroy the very basis of international law.

At the 190th plenary meeting of the Third Session of the General Assembly of the United Nations, 12 April, 1949, the Delegate of the Union of Soviet Socialist Republics, in objecting to consideration by the General Assembly of charges of violation of human rights in Bulgaria and Hungary, cited Article 36 of the Treaty of Peace with Bulgaria and Article 40 of the Treaty of Peace with Hungary and stated: "Even if there were any violation of the Peace Treaties by Bulgaria and Hungary, the States alleging such violations should adhere to the procedures stipulated in the Peace Treaties themselves." Whether there have been such violations is in dispute. The United States as a signatory Power making such allegations, had already, on 2 April, 1949, initiated measures with a view to the application of the Treaty clauses cited by the Soviet delegate. The Resolution of the General Assembly on the subject, adopted on 30 April, 1949, noted these measures with satisfaction, expressed the hope that they would be diligently applied, and most urgently drew the attention of the Governments of Bulgaria and

Hungary to their obligations under the Peace Treaties, including the obligation to co-operate in the settlement of disputes. The Soviet Government, however, by its present attitude, shows that it is unwilling itself to act in accordance with these treaty procedures. This attitude of the Soviet Government represents an obstacle to the settlement of disputes which have arisen under the Treaties of Peace.

In the light of the foregoing the United States Government hopes that, on further reflection, the Soviet Government will see fit to reconsider its decision as conveyed in the Embassy's note of 11 June, 1949, and will instruct its representatives at Sofia, Budapest, and Bucharest to meet with their respective American and British colleagues as the latter requested in their letters delivered on 31 May, 1949.

Annex 21

UNION OF SOVIET SOCIALIST REPUBLICS NOTE TO THE UNITED STATES

[Original text : Russian]

19 July, 1949.

In connexion with the note of the Secretary of State of 30 June, 1949, in which the question is put anew of the convocation of a meeting of the three Chiefs of Diplomatic Mission for the discussion of questions touched upon by the Government of the U.S.A. in notes to the missions of Bulgaria, Hungary, and Rumania of 31 May last, the Embassy of the U.S.S.R. upon instruction of the Soviet Government states the following:

The Soviet Government cannot agree with the considerations set forth in the note of the Secretary of State mentioned above. Particularly, it is impossible to agree with the assertion of the Secretary of State of the U.S.A. that measures being carried out by the Governments of Bulgaria, Hungary, and Rumania, in the course of internal government administration with the aim of defense of democracy from the encroachments on the part of pro-fascist and other organizations of a similar nature, can allegedly be put in the category of questions provided for by Article 36 of the Peace Treaty with Bulgaria, Article 40 of the Peace Treaty with Hungary, and Article 38 of the Peace Treaty with Rumania.

As was pointed out in the note of the Soviet Government of 11 June last, these measures of the Bulgarian, Hungarian, and Rumanian Governments not only are not a violation of the Peace Treaties, but pursue aims provided for by those articles of the Peace Treaties mentioned above, which obligate the Governments of Bulgaria, Hungary, and Rumania to carry out measures for the dissolution of organizations of a fascist type and in the future not to permit the existence and

activity of organizations of a similar nature directed against the democratic rights of the peoples.

Therefore, all references to violations of the Peace Treaties allegedly committed by Bulgaria, Hungary, and Rumania requiring the review of these questions in accordance with the procedure established for the review of disputes are artificial and misrepresent the actual sense of the articles of the reference Peace Treaties.

At the same time, the Embassy of the U.S.S.R. considers it necessary to remark that the reference note of the Secretary of State, as well as the note of the Acting Secretary of State of 31 May, 1949, does not contain any new argument in favour of the convocation of the mentioned meetings.

In view of what has been set forth above, the Soviet Government does not see any basis for review of its position which was communicated in the note of Embassy of the U.S.S.R. of 11 June, 1949.

Annex 22

BULGARIAN NOTE TO THE UNITED STATES

[Original text : French]

27 July, 1949.

Referring to note No. 225 of the United States Legation dated 31 May, 1949, the Ministry of Foreign Affairs of the People's Republic of Bulgaria considers the following statement indispensable :

The Government of the People's Republic of Bulgaria considers as unjustified the decision of the Government of the United States to resort to the procedure established by Article 36 of the Treaty of Peace in connexion with the execution by Bulgaria of the provisions of Article 2 of the same Treaty, particularly since the United States is already in possession of a detailed reply and statement of the Bulgarian Government contained in the note of 21 April, 1949.

The Honorable Legation's note states that a dispute exists between the United States of America and Bulgaria regarding the execution of Article 2 of the Peace Treaty although the United States has not made and is unable to make any contestation or objection to the points which have been brought out in the above-mentioned note of the Foreign Office dated 21 April, 1949. It is justly pointed out in the same note that the Constitution of the People's Republic of Bulgaria which entered into force on 6 December, 1947, consecrates and guarantees to Bulgarian citizens without distinction as to race, nationality, religion, origin or social position all the rights and liberties which are mentioned in Article 2 of the Treaty of Peace. Thus in full accordance with the Treaty of Peace the Constitution states :

Article 71.—All citizens of the People's Republic of Bulgaria are equal before the law.

No privileges based on nationality, origin, religion or material condition are recognized.

The propagation of racial, national or religious hatred is punishable by law."

" *Article 78.*—Citizens are guaranteed freedom of conscience and religion, as well as freedom of celebration of religious rites.

The Church is separate from the State.

Special legislation shall settle the legal status, questions of material maintenance and right to self-administration and self-government of religious communities.

Abuse of the Church and religion for political aims, as well as the formation of political organizations on a confessional basis is prohibited."

" *Article 82.*—The freedom and inviolability of the person are guaranteed. No one can be detained for more than forty-eight hours without order of the judicial organs or of the prosecutor.

Penalties are imposed only on the strength of existing laws.

Penalties are personal and commensurate to the offence.

Penalties for offences can be imposed only by the proper courts.

Defendants are entitled to legal assistance."

" *Article 87.*—Bulgarian citizens have the right to form societies, associations and organizations, provided same are not directed against public order and the State and are not in contradiction with the present Constitution.

The law prohibits and punishes the formation of and membership in organizations, having for aim to deprive or infringe the rights and freedoms of the Bulgarian people, won by conquest through the national uprising of 9 September, 1944, and guaranteed by the present Constitution, to threaten national independence and State sovereignty of the country, or which overtly or covertly advocate fascist and anti-democratic ideology or facilitate imperialist aggression."

" *Article 88.*—Citizens of the People's Republic are guaranteed freedom of press, speech, assembly, meetings and manifestations."

These perfectly clear constitutional provisions leave no room for any possible dispute in so far as concerns the execution and interpretation of Article 2 of the Treaty of Peace.

But the Honorable Legation of the United States of America has neither contested nor been able to contest the Bulgarian position, namely that the actual cases enumerated in its note not only do not constitute violations of the Treaty of Peace but much to the contrary they fall within the framework of the Peace Treaty execution itself and more especially of Article 4 of this Treaty which for reasons not known to the Foreign Office has been passed over in silence in the note of the Legation of the United States of America. Article 4 of the Treaty of Peace states :

“ Article 4.—Bulgaria, which in accordance with the Armistice Agreement has taken measures for dissolving all organizations of a fascist type on Bulgarian territory, whether political, military or para-military, as well as other organizations conducting propaganda hostile to the United Nations, shall not permit in future the existence and activities of organizations of that nature which have as their aim denial to the people of their democratic rights.”

That obligation deriving from the Treaty of Peace is included in Part II of the above-mentioned Article 87 of the Constitution of the People's Republic of Bulgaria.

The Honourable Legation has neither contested nor been able to contest the position of the Bulgarian Government, namely that the question of the various proceedings before Bulgarian courts, the acts of administrative agencies and others in various cases cannot be made a subject of discussion in connexion with the execution of the Peace Treaty since, from the point of view of the principles of international law, the text and spirit of the Treaty as well as the exact provisions of Article 2 of the United Nations Charter, such a discussion would constitute an inadmissible interference in the internal affairs of our country and would be an infringement of its sovereignty.

In regard to all these questions as well as to the other views of the Bulgarian Government regarding the execution of Article 2 of the Treaty of Peace, no discussion has been undertaken and still less can it be said that discussions have been entered into for the settlement of a non-existent dispute. In the Honorable Legation's note there is wrongly made an allusion to a dispute without the subject and extent of this dispute being specified.

Consequently, the Bulgarian Government considers that there is evidence of neither the required facts nor a procedural basis in the case to permit the application of Article 36 of the Treaty of Peace and considers that the arguments of the Legation of the United States of America for setting in motion the procedure provided in the said Article 36 of this Treaty do not conform to the provisions of the Treaty itself and of international law and rejects them categorically.

Annex 23

UNITED STATES NOTE TO HUNGARY

[Original text : English]

1 August, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and, acting on instructions from the United States Government, has the honor to refer to the Legation's note of 31 May, 1949, regarding the dispute which has arisen

concerning the interpretation and execution of Article 2(3) of the Treaty of Peace.

The Soviet Ambassador has made no reply to the letter of the United States Minister under date of 31 May, a copy of which was attached to the Legation's above-mentioned note of the same date, proposing consideration of this dispute by the three Heads of Mission in accordance with Article 40 of the Treaty of Peace. The Soviet Government, in spite of the provisions of the Treaty, has informed the United States Government that it does not see any grounds for a convocation of the three Heads of Mission for this purpose and has not seen fit to authorize its Ambassador to join his United States and British colleagues in considering the dispute. Although two months have elapsed since the Soviet Ambassador was invited to meet for this purpose, no meeting has taken place and the dispute remains unresolved.

Article 40 of the Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country.

The United States Government in the circumstances, requests that the dispute be referred to a Commission to be constituted in accordance with the provisions of Article 40 of the Treaty of Peace. Accordingly, the Legation of the United States has been instructed to ask the Hungarian Government to join the United States Government in appointing such a Commission.

Annex 24

UNITED STATES NOTE TO BULGARIA

[Original text : English]

1 August, 1949.

The Legation of the United States of America present its compliments to the Ministry of Foreign Affairs of Bulgaria and, acting on instructions from the United States Government, has the honor to refer to the Legation's note of 31 May, 1949, regarding the dispute which has arisen concerning the interpretation and execution of Article 2(3) of the Treaty of Peace.

The Soviet Ambassador has made no reply to the letter of the United States Minister under date of 31 May, a copy of which was attached to the Legation's above-mentioned note of the same date, proposing consideration of this dispute by the three Heads of Mission in accordance with Article 36 of the Treaty of Peace. The Soviet Government, in spite of the provisions of the Treaty, has informed the United States Government that it does not see any grounds for a convocation of the three

Heads of Mission for this purpose and has not seen fit to authorize its Ambassador to join his United States and British colleagues in considering the dispute. Although two months have elapsed since the Soviet Ambassador was invited to meet for this purpose, no meeting has taken place and the dispute remains unresolved.

In this connexion the Government of the United States has also taken cognizance of the views expressed by the Bulgarian Government in its note No. 23-50-1 of 27 July but is of the opinion that the points raised by the Bulgarian Government tend to confirm rather than deny that a dispute exists.

Article 36 of the Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country.

The United States Government, in the circumstances, requests that the dispute be referred to a Commission to be constituted in accordance with the provisions of Article 36 of the Treaty of Peace. Accordingly, the Legation of the United States has been instructed to ask the Bulgarian Government to join the United States Government in appointing such a Commission.

Annex 25

UNITED STATES NOTE TO RUMANIA

[Original text : English]

1 August, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and, acting on instructions from the United States Government, has the honor to refer to the Legation's note of 31 May, 1949, regarding the dispute which has arisen concerning the interpretation and execution of Article 2(3) of the Treaty of Peace.

The Soviet Ambassador has made no reply to the letter of the United States Minister under date of 31 May a copy of which was attached to the Legation's above-mentioned note of the same date, proposing consideration of this dispute by the three Heads of Mission in accordance with Article 38 of the Treaty of Peace. The Soviet Government, in spite of the provisions of the Treaty, has informed the United States Government that it does not see any grounds for a convocation of the three Heads of Mission for this purpose and has not seen fit to authorize its Ambassador to join his United States and British colleagues in considering the dispute. Although two months have elapsed since the Soviet Ambassador was invited to meet for this purpose, no meeting has taken place and the dispute remains unresolved.

Article 38 of the Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country.

The United States Government, in the circumstances, requests that the dispute be referred to a Commission to be constituted in accordance with the provisions of Article 38 of the Treaty of Peace. Accordingly, the Legation of the United States has been instructed to ask the Romanian Government to join the United States Government in appointing such a Commission.

Annex 26

HUNGARIAN NOTE TO THE UNITED STATES

[Original text : English]

26 August, 1949.

The Hungarian Ministry for Foreign Affairs presents its compliments to the Legation of the United States of America in Budapest and with reference to the Legation's note No. 502 in the name of its Government has the honour to state the following :

The Hungarian Government consequently fulfilled and fulfils the provisions of the Peace Treaty. The Hungarian Government has in a manner leaving no doubts brought this to the notice of the Government of the United States of America several times in its notes Nos. 493/1949 and 2672/1949.

Referring to Article 40 of the Peace Treaty the Government of the United States of America in its note invites the Hungarian Government to send its representative in the Commission to be set up in the terms of this paragraph. However, as it is stressed in the Legation's note, paragraph 40 stipulates that the Commission be delegated only in case of a "dispute" concerning the interpretation and carrying out of the Peace Treaty. There can be no question, however, about such a "dispute"—because—as it can clearly be seen in the enumerated notes of the Hungarian Ministry for Foreign Affairs—the Hungarian Government has exactly fulfilled its obligations assumed in the Peace Treaty.

With the view that the Peace Treaty explicitly recognized Hungary's sovereignty and, at the same time, made it obligatory to the Hungarian Government to take proper measures against tendencies of fascist character, the Hungarian Ministry for Foreign Affairs expresses its surprise upon the fact that the note of the United States of America wishes to make a matter of dispute out of such measures taken by the

Hungarian Government which exclusively belong to the internal affairs of the sovereign Hungarian State and which directly follow from the consequent carrying out of the Peace Treaty.

After all this the Hungarian Government can give no other interpretation to the note of the Government of the United States of America than its being a repeated attempt to interfere with the internal affairs of the Hungarian People's Republic. The Government of the United States of America obviously wishes to impose a pressure on Hungary to induce the Hungarian Government to subordinate its policy to the endeavors of the Government of the United States of America. The Hungarian Government is not willing to do so and categorically states that it will continue maintaining the consistently democratic trend of its policy aiming at the defense of peace.

In view of the above said, the Hungarian Government rejects the note of the Government of the United States of America transmitted through its Legation as offending the sovereignty of the Hungarian People's Republic and states that Hungary considers the setting up of a Commission with reference to Article 40 of the Peace Treaty groundless and purposeless and consequently will not participate in it.

The Hungarian Ministry for Foreign Affairs avails itself of this opportunity etc.

Annex 27

BULGARIAN NOTE TO THE UNITED STATES

Note verbale

[Original text : French]

1 September, 1949.

In reply to the note of the Honorable Legation of the United States of America in Sofia of 1 August, 1949, the Ministry of Foreign Affairs of the People's Republic of Bulgaria is obliged to note with regret that the Government of the United States has evidenced no desire to examine the considerations which the Bulgarian Government set forth in its notes Nos. 21088/44/I and 230/50/I of 21 April and 27 July, 1949, respectively.

Supplementing that which was set forth in its preceding notes, the Ministry of Foreign Affairs of the People's Republic of Bulgaria is instructed by its Government to state the following :

The Bulgarian Government is of the opinion that the invitation which has been extended to it to participate in the Commission provided for in Article 36 of the Peace Treaty is completely unjustified. The Government of the People's Republic of Bulgaria has always fulfilled and continues to fulfil the obligations which are incumbent on it under the Peace Treaty. It receives with surprise the accusations of the Government of the United States pertaining to matters with respect to which the Bulgarian Government has put forth great efforts and has achieved therein the best results especially as regards the democratization of the country and the safeguarding of the rights and liberties of Bulgarian citizens.

The actions effected by the Bulgarian Government in execution of its obligations deriving from Article 4 of the Peace Treaty could not be described as violations of this Treaty.

The Government of the People's Republic of Bulgaria maintains its point of view, i.e. that we are not faced with a dispute in the sense of Article 36 of the Peace Treaty, a dispute capable of being submitted to investigation and of being resolved in accordance with the procedure provided for in the said text. The tenor of the notes addressed by the Honorable Legation in connexion with the pretended violation of Article 2 and the replies of the Ministry to those notes do not bring forth any definite object of dispute. In its notes the Government of the United States has merely expressed its unilateral opinion and pronounced a judgment not corresponding to reality on the régime of the people's democracy in Bulgaria.

The Government of the People's Republic of Bulgaria would be unable otherwise to interpret the "dispute" which the Government of the United States is trying artificially to create except as an attempt at intervention in the internal affairs of Bulgaria and pressure on the Bulgarian Government in order to bring about a change in its policy in the direction desired by the Government of the United States. These attempts are in violation of the sovereignty of Bulgaria and in flagrant contradiction with the fundamental principles of the Charter of the United Nations as well as with the spirit of the Peace Treaty.

In view of all these considerations, the Bulgarian Government cannot accept the invitation which has been addressed to it with a view to the constitution of the Commission provided for in Article 36 of the Peace Treaty.

The Ministry of Foreign Affairs of the People's Republic of Bulgaria takes this occasion, etc.

Annex 28

RUMANIAN NOTE TO THE UNITED STATES

Note verbale

[Original text : Romanian]

2 September, 1949.

The Ministry for Foreign Affairs presents its compliments to the Legation of the United States and with reference to note No. 687 of 1 August concerning the interpretation and execution of Article 3 of the Treaty of Peace and the application of Article 38 of the Treaty of Peace, has the honor to communicate to it on behalf of the Government of the Rumanian People's Republic the following :

The Government of the Rumanian People's Republic has shown in its note of 18 April, 1949, that the laws of the Rumanian People's Republic guarantee the strict application of the provisions of Article 3 of the Treaty and of the obligations assumed in conformity with the Treaty of Peace.

The régime of people's democracy assures to the people human rights and fundamental freedoms. The Constitution of the Rumanian People's

Republic guarantees freedom of public meetings and demonstrations, of speech and of the press, assures freedom of religion, and forbids racial and religious discrimination, which is punished by law; women enjoy full and equal rights.

The fundamental freedoms and human rights are carried out in practice by placing meeting places, printing facilities and paper at the disposal of those who work. Religious communities possess the properties and premises necessary for the practice of their religion.

The continuous progress of the national economy, protected from the scourge of depression and unemployment, the increase of the standard of living of those who work, and the improvement of their cultural level assure the material and moral basis which permits the people to make full use of the human rights and fundamental freedoms.

In view of these facts the Government of the Rumanian People's Republic considers that the affirmations included in the United States Legation's notes Nos. 627 of 31 May, 1949, and 687 of 1 August, 1949, regarding the interpretation and execution of the Treaty of Peace do not correspond to reality.

Consequently, the Government of the Rumanian People's Republic considers that there are no reasons to invoke Article 38 of the Treaty of Peace.

The Government of the Rumanian People's Republic finds that the Government of the United States persists in its attempt to prevent the application of Article 5 of the Treaty of Peace by the Government of the Rumanian People's Republic and makes the subject of dispute the measures taken by the Rumanian Government against fascist remnants, as well as the sentences given by the courts of the Rumanian People's Republic against the spies and saboteurs in the service of foreign espionage services, measures which correspond to the provisions of the Treaty of Peace, and which fall entirely within the jurisdiction of the internal courts of the Rumanian People's Republic as a sovereign State.

In these persistent attempts of the Government of the United States is shown clearly that Government's tendency to interfere in the internal affairs of the Rumanian People's Republic and to attempt to use the articles of the Treaty of Peace as a pretext to exercise pressure with the object of changing the policy of the Rumanian Government in a direction favorable to the interests of the Governments of the United States and Great Britain and against the will and the interests of the Rumanian People.

For these reasons, the Government of the Rumanian People's Republic rejects as completely unfounded the request of the United States Government expressed in its note of 1 August, 1949.

Annex 29

UNITED STATES NOTE TO HUNGARY

[Original text: English]

19 September, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and has the honor, acting on instructions from the United States Government, to refer to the Legation's note of 1 August, 1949, and to the reply of the Ministry of Foreign Affairs dated 26 August, 1949, concerning the establishment of a Commission for the resolution of the dispute which has arisen with respect to the interpretation and execution of Article 2 of the Treaty of Peace.

The United States Government considers that the Hungarian Government has no grounds for declaring unilaterally that a dispute over Hungary's execution of Article 2 of the Peace Treaty does not exist. Since the interpretation placed by the United States Government on the acts of the Hungarian Government with reference to the latter's Treaty obligations respecting human rights and freedoms does not correspond with the interpretation advanced by the Hungarian Government, the existence of a dispute is self-evident. In the view of the United States Government, refusal by the Hungarian Government to comply with the provisions of Article 40 of the Treaty of Peace, relating to the establishment of a Commission to reach a decision on that dispute, constitutes a serious new breach of Treaty obligations.

The excuse made by the Hungarian Government in its note of 26 August, 1949, that its actions which have been called into question by the United States Government have been taken in execution of Hungary's obligations under Article 4 of the Treaty is a flimsy pretext that will not stand examination in the light of the systematic suppression of human rights and freedoms in Hungary. It is patently not the intent of Article 4 that its provisions should be utilized by the Hungarian Government as a cloak for the elimination of all opposition to the totalitarian rule of a minority or for the denial of fundamental freedoms specified in Article 2. The United States Government does not acquiesce in the Hungarian Government's arrogation to itself of the exclusive right to judge its own actions in relation to Peace Treaty obligations. It is clear, moreover, that Article 40 of the Treaty of Peace would be without meaning and purpose if the Hungarian Government were the sole arbiter of its execution of international obligations under the Treaty.

As regards the intimation of the Hungarian Government that its sovereignty is impugned by the action of the United States Government in invoking the Treaty of Peace, it is manifest that the sovereignty of Hungary is limited by Hungary's clear international obligations. The matters dealt with in Article 2 and Article 40 of the Peace Treaty impose international obligations on Hungary. Accordingly, the invocation by the United States, a signatory of the Treaty of Peace, of specific

treaty procedures for the settlement of a dispute involving Hungary's execution of its Treaty obligations can in no sense be regarded as unwarranted intervention in the internal affairs of Hungary.

Continued refusal by the Hungarian Government to join in the establishment of a Commission for the resolution of the existing dispute—a procedure expressly stipulated by Article 40 of the Peace Treaty—can only be regarded by the United States Government as a further deliberate violation of international obligations and as demonstrative of a lack of good faith on the part of the Hungarian Government. In these circumstances, the Legation is instructed to inform the Hungarian Government that its recalcitrant attitude in this matter can in no way affect the determination of the United States Government to have recourse to all appropriate measures for securing the compliance by the Hungarian Government with its obligations under Article 2 of the Peace Treaty respecting human rights and the fundamental freedoms and under Article 40 respecting the procedure for dealing with disputes arising over the interpretation and execution of the Treaty of Peace.

Annex 30

UNITED STATES NOTE TO BULGARIA

[Original text: English]

19 September, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Bulgaria and has the honor, acting on instructions from the United States Government, to refer to the Legation's note of 1 August, 1949, and to the reply of the Ministry of Foreign Affairs dated 1 September, 1949, concerning the establishment of a Commission for the resolution of the dispute which has arisen with respect to the interpretation and execution of Article 2 of the Treaty of Peace.

The United States Government considers that the Bulgarian Government has no grounds for declaring unilaterally that a dispute over Bulgaria's execution of Article 2 of the Peace Treaty does not exist. Since the interpretation placed by the United States Government on the acts of the Bulgarian Government with reference to the latter's Treaty obligations respecting human rights and freedoms does not correspond with the interpretation advanced by the Bulgarian Government, the existence of a dispute is self-evident. In the view of the United States Government, refusal by the Bulgarian Government to comply with the provisions of Article 36 of the Treaty of Peace, relating to the establishment of a Commission to reach a decision on that dispute, constitutes a serious new breach of Treaty obligations.

The excuse made by the Bulgarian Government in its note of 1 September, 1949, that its actions which have been called into question by the United States Government have been taken in execution of Bulgaria's obligations under Article 4 of the Treaty is a flimsy pretext that will not stand examination in the light of the systematic suppression of human rights and freedoms in Bulgaria. It is patently not the intent of Article 4 that its provisions should be utilized by the Bulgarian Government as a cloak for the elimination of all opposition to the totalitarian rule of a minority or for the denial of fundamental freedoms specified in Article 2. The United States Government does not acquiesce in the Bulgarian Government's arrogation to itself of the exclusive right to judge its own actions in relation to Peace Treaty obligations. It is clear, moreover, that Article 36 of the Treaty of Peace would be without meaning and purpose if the Bulgarian Government were the sole arbiter of its execution of international obligations under the Treaty.

As regards the intimation of the Bulgarian Government that its sovereignty is impugned by the action of the United States Government in invoking the Treaty of Peace, it is manifest that the sovereignty of Bulgaria is limited by Bulgaria's clear international obligations. The matters dealt with in Article 2 and Article 36 of the Peace Treaty impose international obligations on Bulgaria. Accordingly, the invocation by the United States, a signatory of the Treaty of Peace, of specific treaty procedures for the settlement of a dispute involving Bulgaria's execution of its Treaty obligations can in no sense be regarded as unwarranted intervention in the internal affairs of Bulgaria.

Continued refusal by the Bulgarian Government to join in the establishment of a Commission for the resolution of the existing dispute—a procedure expressly stipulated by Article 36 of the Peace Treaty—can only be regarded by the United States Government as a further deliberate violation of international obligations and as demonstrative of a lack of good faith on the part of the Bulgarian Government. In these circumstances, the Legation is instructed to inform the Bulgarian Government that its recalcitrant attitude in this matter can in no way affect the determination of the United States Government to have recourse to all appropriate measures for securing the compliance by the Bulgarian Government with its obligations under Article 2 of the Peace Treaty respecting human rights and the fundamental freedoms and under Article 36 respecting the procedure for dealing with disputes arising over the interpretation and execution of the Treaty of Peace.

Annex 31

UNITED STATES NOTE TO RUMANIA

[Original text: English]

19 September, 1949.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and has the honor, acting on instructions from the United States Government, to refer to the Legation's note of 1 August, 1949, and to the reply of the Ministry of Foreign Affairs dated 2 September, 1949, concerning the establishment of a Commission for the resolution of the dispute which has arisen with respect to the interpretation and execution of Article 3 of the Treaty of Peace.

The United States Government considers that the Rumanian Government has no grounds for declaring unilaterally that a dispute over Rumania's execution of Article 3 of the Peace Treaty does not exist. Since the interpretation placed by the United States Government on the acts of the Rumanian Government with reference to the latter's Treaty obligations respecting human rights and freedoms does not correspond with the interpretation advanced by the Rumanian Government, the existence of a dispute is self-evident. In the view of the United States Government refusal by the Rumanian Government to comply with the provisions of Article 38 of the Treaty of Peace, relating to the establishment of a Commission to reach a decision on that dispute, constitutes a serious new breach of treaty obligations.

The excuse made by the Rumanian Government in its note of 2 September, 1949, that its actions which have been called into question by the United States Government have been taken in execution of Rumania's obligations under Article 5 of the Treaty is a flimsy pretext that will not stand examination in the light of the systematic suppression of human rights and freedoms in Rumania. It is patently not the intent of Article 5 that its provisions should be utilized by the Rumanian Government as a cloak for the elimination of all opposition to the totalitarian rule of a minority or for the denial of fundamental freedoms specified in Article 3. The United States Government does not acquiesce in the Rumanian Government's arrogation to itself of the exclusive right to judge its own actions in relation to Peace Treaty obligations. It is clear, moreover, that Article 38 of the Treaty of Peace would be without meaning and purpose if the Rumanian Government were the sole arbiter of its execution of international obligations under the Treaty.

As regards the intimation of the Rumanian Government that its sovereignty is impugned by the action of the United States Government in invoking the Treaty of Peace, it is manifest that the sovereignty of Rumania is limited by Rumania's clear international obligations. The matters dealt with in Article 3 and Article 38 of the Peace Treaty impose international obligations on Rumania. Accordingly, the invocation by the

United States, a signatory of the Treaty of Peace, of specific treaty procedures for the settlement of a dispute involving Rumania's execution of its Treaty obligations can in no sense be regarded as unwarranted intervention in the internal affairs of Rumania.

Continued refusal by the Rumanian Government to join in the establishment of a Commission for the resolution of the existing dispute—a procedure expressly stipulated by Article 38 of the Peace Treaty—can only be regarded by the United States Government as a further deliberate violation of international obligations and as demonstrative of a lack of good faith on the part of the Rumanian Government. In these circumstances, the Legation is instructed to inform the Rumanian Government that its recalcitrant attitude in this matter can in no way affect the determination of the United States Government to have recourse to all appropriate measures for securing the compliance by the Rumanian Government with its obligations under Article 3 of the Peace Treaty respecting human rights and the fundamental freedoms and under Article 38 respecting the procedure for dealing with disputes arising over the interpretation and execution of the Treaty of Peace.

LETTER FROM THE REPRESENTATIVE OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO
THE SÉCRETARY-GENERAL

Document A/990/Rev. 1.

[Original text: English]

New York, 19 September, 1949.

I have the honour to refer to General Assembly resolution 272 (III) of 30 April, 1949, about the observance in Bulgaria and Hungary of human rights and fundamental freedoms, and to item 3 in the supplementary list of items for the agenda of the Fourth Regular Session of the General Assembly (the observance of fundamental freedoms and human rights in Roumania including the question of religious and civil liberty).

2. In this connexion I have the honour to inform Your Excellency, on instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that His Majesty's Government in the United Kingdom have taken all the steps prescribed in the final clauses of the Peace Treaties with Bulgaria, Hungary and Roumania for the implementation of those Treaties, and that the Bulgarian and Hungarian Governments have refused, and the Roumanian Government has failed, to comply with the Treaty procedure.

3. I enclose copies of the following notes on this subject which have been exchanged between His Majesty's Government and the governments concerned :

1. Note of 2 April, 1949, to the Bulgarian Ministry of Foreign Affairs.
2. Note of 2 April, 1949, to the Roumanian Ministry of Foreign Affairs.
3. Note of 2 April, 1949, to the Hungarian Ministry of Foreign Affairs.
4. Reply of 7 April, 1949, from the Hungarian Ministry of Foreign Affairs.
5. Reply of 19 April, 1949, from the Roumanian Ministry of Foreign Affairs.
6. Reply of 21 April, 1949, from the Bulgarian Ministry of Foreign Affairs.
7. Notes of 31 May, 1949, to the Bulgarian, Hungarian and Roumanian Ministries of Foreign Affairs.
8. Notes of 31 May, 1949, to the United States Heads of Missions in Sofia, Budapest and Bucharest.
9. Notes of 31 May, 1949, to the Soviet Heads of Missions in Sofia, Budapest and Bucharest.
10. Note of 12 June, 1949, from the Soviet Embassy in London.
11. Note of 30 June, 1949, in reply to the Soviet Embassy's note of 12 June, 1949.
12. Note of 27 July, 1949, from the Bulgarian Ministry of Foreign Affairs.
13. Note of 1 August, 1949, to the Bulgarian, Roumanian and Hungarian Ministries of Foreign Affairs.
14. Reply of 26 August, 1949, from the Hungarian Ministry of Foreign Affairs.
15. Reply of 1 September, 1949, from the Bulgarian Ministry of Foreign Affairs.
16. Note of 2 September, 1949, from the Roumanian Ministry of Foreign Affairs.
17. Notes of 19 September, 1949, to the Bulgarian, Hungarian and Roumanian Ministries of Foreign Affairs.

4. I have the honour to request that this communication be brought to the attention of all Members of the United Nations.

(Signed) ALEXANDER CADOGAN,
Representative of the United Kingdom of
Great Britain and Northern Ireland to
the United Nations

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Annex I

UNITED KINGDOM "NOTE VERBALE" TO BULGARIA

[Original text: English]

2 April, 1949.

His Britannic Majesty's Legation present their compliments to the Bulgarian Ministry for Foreign Affairs and, on instructions from His Majesty's Government in the United Kingdom, have the honour to invite attention to Article 2 of the Treaty of Peace with Bulgaria, which reads as follows :

"Bulgaria shall take all measures necessary to secure to all persons under Bulgarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting."

2. Since the Treaty of Peace entered into force on 15 September, 1947, His Majesty's Government in the United Kingdom, as a party to that instrument, have kept a close watch on the actions of the Bulgarian Government in relation to the provision of the above-quoted article. They have come with regret to the conclusion that the Bulgarian Government have deliberately and systematically denied to the Bulgarian people the exercise of those very rights and freedoms which they were pledged to secure to them under Article 2 of the Treaty.

3. Curtailment of these rights and freedoms began during the Armistice period and has been continued and intensified since the entry into force of the Peace Treaty. By the arbitrary exercise of administrative and police power without any judicial process or possibility of judicial redress, the Bulgarian Government and their agents have violated the rights of the citizens, as free men and women, to life and liberty. Large numbers of citizens have been arrested and detained in custody indefinitely or sent to penal labour camps. Freedom to express political opinions at variance with those of the Government has been stifled. Through

the Government's initiative, democratic political parties which held substantial mandates from the people have been silenced in Parliament, splintered, shattered and even dissolved. Democratic political leaders have been deprived of their liberty by perverted judicial process and in the most renowned case of all, that of Nikola Petkov, the leader of the National Agrarian Union, deprived of life itself. In order to enforce rigid political conformity, the Bulgarian Government and the Bulgarian Communist Party, which is in control of the State, have established a network of police and other agents who observe, report on, penetrate and interfere with the private opinions, associations and activities of the Bulgarian citizens.

4. The Bulgarian Government have also circumscribed freedom of expression. Freedom of press and publication does not exist and it is impossible for individual citizens to express substantive criticism of the Government or the Communist Party. All opposition newspapers have long been suppressed, either by direct and arbitrary Government action, or by pressure from the Communist-dominated organizations acting without hindrance from, and indeed with the obvious approval and support of the Bulgarian Government. The foreign press and agency correspondents are in practice subjected to control and sanctions which are no less effective than would be an official censorship.

5. Again, the Bulgarian Government have pursued a policy detrimental to freedom of religious worship. They have sought to disrupt the religious communities, to circumscribe their activities and by the exercise of varying degrees of pressure either to make their leaders subservient tools of the Communist political aims or to paralyse their influence. The latest example of this many-sided technique has been afforded by the staging in Sofia of the notorious trial of fifteen Protestant pastors.

6. In these circumstances, His Majesty's Government in the United Kingdom as a signatory to the Treaty of Peace consider that the Bulgarian Government have repeatedly violated and continue to violate the provisions of Article 2 of that Treaty. They accordingly call upon the Bulgarian Government to adopt prompt remedial measures in respect of these violations.

7. In view of the absence of local Australian and New Zealand representation in Bulgaria, the Australian and New Zealand Governments have requested His Majesty's Legation to inform the Bulgarian Ministry for Foreign Affairs that they associate themselves with the terms of this note.

His Britannic Majesty's Legation take this opportunity, etc.

Annex 2

UNITED KINGDOM "NOTE VERBALE" TO ROUMANIA

[Original text : English]

2 April, 1949.

His Majesty's Legation presents its compliments to the Roumanian Ministry of Foreign Affairs and, on instructions from His Majesty's Government in the United Kingdom, has the honour to invite the attention of the Roumanian Government to Article 3 of the Treaty of Peace with Roumania which reads as follows :

"1. Roumania shall take all measures necessary to secure to all persons under Roumanian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including the freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Roumania further undertakes that the laws in force in Roumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Roumanian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matters."

2. Since the Treaty of Peace entered into force on 15 September, 1947, His Majesty's Government in the United Kingdom, as a party to that instrument, have kept a close watch on the actions of the Roumanian Government in relation to the provisions above quoted. They have come with regret to the conclusion that the Roumanian Government have deliberately and systematically denied to the Roumanian people the exercise of those very rights and freedoms which they were pledged to secure to them under Article 3 of the Treaty.

3. The curtailment of these rights and freedoms began during the armistice period and has been continued and intensified since the entry into force of the Peace Treaty. Through arbitrarily exercised police power and perversion of the judicial process for political ends, the Roumanian Government and their agents have violated the rights of citizens, as free men and women, to life and liberty. Freedom of political opinion in Roumania is denied to those who do not share that of the Government. Through the Government's initiative, democratic political parties which held substantial mandates from the people have been silenced in Parliament, purged, splintered and outlawed. Democratic political leaders have been deprived of their liberty by perverted judicial process and one of them, Iuliu Maniu, the President of the National Peasant Party, was condemned to imprisonment for life. In order to enforce rigid political conformity, the Roumanian Government and Roumanian Worker's Party which is in control of the State have established a network of police and other agents who observe, report on, penetrate and interfere in private opinions, associations and activities of Roumanian citizens.

4. The Roumanian Government have also circumscribed freedom of expression. Freedom of press and publication does not exist. The basic decrees relating to the press are restrictive in character and so interpreted in practice. Substantive criticism of the Government or Workers' Party is at once met with reprisals. The distribution of news print is so effected as to restrict expression by individuals or groups whose political opinions are at variance with those of the Government. Likewise foreign press and agency correspondents are in practice subjected to control and sanctions which are no less effective than would be an official censorship.

5. Again, the Roumanian Government have pursued a policy detrimental to freedom of religious worship. Having taken legal powers to regiment religious organizations, the Roumanian authorities have resorted to persecution in the case of the Greek Catholic (Uniate) Church and dissolved this religious body which had over one million adherents.

6. In these circumstances His Majesty's Government in the United Kingdom as a signatory to the Treaty of Peace consider that the Roumanian Government have steadily violated, and continue to violate, the provisions of Article 3 of that Treaty. They accordingly call upon the Roumanian Government to adopt promptly remedial measures in respect of these violations.

7. In view of the absence of separate Canadian, Australian, and New Zealand representation in Roumania, the Government of Canada, Australia and New Zealand have requested His Majesty's Legation to inform the Roumanian Ministry of Foreign Affairs that they associate themselves with the terms of this note.

8. His Majesty's Legation avails itself of this opportunity, etc.

Annex 3

UNITED KINGDOM « NOTE VERBALE » TO HUNGARY

[Original text : English]

2 April, 1949.

His Britannic Majesty's Legation present their compliments to the Hungarian Ministry of Foreign Affairs and, acting on instructions from His Majesty's Government in the United Kingdom, have the honour to invite attention to Article 2 of the Treaty of Peace with Hungary which reads as follows :

"1. Hungary shall take all measures necessary to secure to all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Hungary further undertakes that the laws in force in Hungary shall not either in their content or in their application, discriminate or entail any discrimination between persons of Hungarian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter."

2. Since the Treaty of Peace entered into force on 15 September, 1947, His Majesty's Government in the United Kingdom, as a party to that instrument, have kept a close watch on the actions of the Hungarian Government in relation to the provisions quoted above. They have come with regret to the conclusion that the Hungarian Government have deliberately and systematically denied to the Hungarian people the exercise of those very rights and freedoms which they were pledged to secure to them under Article 2 of the Treaty.

3. The curtailment of these rights and freedoms began during the Armistice period and has been continued and intensified since the entry into force of the Peace Treaty. Through the arbitrary exercise of police power and the perversion of judicial processes for political ends, the Hungarian Government and their agents have violated the rights of Hungarian citizens, as free men and women to life and liberty. Freedom of political opinion in Hungary is denied to those who do not share that of the Government. Through the Government's initiative, democratic political parties which held substantial mandates from the people have been silenced in Parliament, purged, splintered and dissolved. In order to enforce rigid political conformity, the Hungarian Government and Hungarian Worker's Party, which is in control of the State, have established a network of police and other agents who observe, report on, penetrate and interfere in the private opinions, associations and activities of Hungarian citizens.

4. The Hungarian Government have also circumscribed freedom of expression. Freedom of press and publication does not exist. The basic decrees relating to the press are restrictive in character and so interpreted in practice. Substantive criticism of the Government or Workers' Party is at once met with reprisals. Distribution of newsprint is so effected as to restrict expression by individuals or groups whose political opinions are at variance with those of the Government. Likewise foreign press and agency correspondents are in practice subjected to control and sanctions which are no less effective than would be an official censorship.

5. Again the Hungarian Government have pursued a policy detrimental to freedom of religious worship. By the imprisonment of religious leaders such as the Lutheran Bishop Ordass and Cardinal Mindszenty, as well as of clergy and prominent laymen, after the staging of trials which in many cases were manifestly prejudicial and improperly conducted, the Hungarian Government have attempted to force the submission of independent Church leaders and to secure their replacement by collaborators subservient to the Workers' Party and its programme.

6. In these circumstances His Majesty's Government in the United Kingdom as a signatory to the Treaty of Peace consider that the Hungarian Government have steadily violated and continue to violate the provisions of Article 2 of that Treaty. They accordingly call upon the Hungarian Government to adopt prompt remedial measures in respect of these violations.

7. In view of the absence of separate Canadian, Australian and New Zealand representation in Hungary, the Canadian, Australian and New Zealand Governments have requested His Majesty's Legation to inform the Hungarian Ministry of Foreign Affairs that they associate themselves with the terms of this note.

His Britannic Majesty's Legation avail themselves of this opportunity, etc.

Annex 4

HUNGARIAN NOTE TO THE UNITED KINGDOM

[Original text: English]

7 April, 1949.

The Hungarian Ministry of Foreign Affairs presents its compliments to the Legation of the United Kingdom in Budapest and acknowledges receipt of the latter's verbal note No. 185/187/28/49 dated 2 April, 1949.

The Hungarian Ministry of Foreign Affairs states that the text, essence and construction of the British note is similar to the note No. 360 presented at the same time by the Legation of the United States of America in Budapest. On the basis of this fact the Government of Hungary establishes that, at the initiative of the United States Government and agreed to by the Government of the United Kingdom, a common diplomatic step was taken against the Government of Hungary. Thus the Government of Hungary is not in a position to give the Government of the United Kingdom an answer different from the one given the Government of the United States. The Government of the United Kingdom accuses the Government of Hungary with the violation of the Peace Treaty referring, first of all, to Article 2, paragraph 1, of the Peace Treaty which obliges Hungary to secure "to all persons under Hungarian jurisdiction without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms". It is well known that concerning the free enjoyment of human rights the Republic of Hungary, well before the conclusion of the Peace Treaty, abolished all discriminations as to race, sex, language and religion which existed under the Horthy régime. Thus the Government of Hungary has fully complied with the provisions of the Peace Treaty.

The Government of Hungary wishes to point out that it is the Government of the United Kingdom that launches the above-mentioned reproaches against the Government of Hungary whereas, it is notorious that in the United Kingdom serious discriminations exist between citizens of different races and colour and that, by far, not every person can equally enjoy human rights. Further on the Government of the

United Kingdom refers to paragraph 2 of Article 2 of the Peace Treaty, which among others obliges Hungary not to discriminate by her laws between Hungarian citizens in reference to "their personal property, business, professional and financial interests", etc. The Government of Hungary categorically protests such an interpretation of this article of the Peace Treaty which would dispute the legality of the measures taken by this Government by which it has passed the large estates into the hands of the people and declared common property the capitalist monopolies. This kind of interpretation of the Peace Treaty equals the defence of the medieval latifundia and capitalist monopolies, as well as their owners who were the principal supports of fascism in Hungary and at the same time Hitler's most ardent henchmen in the war against the Allied and Associated Powers and thus against the United Kingdom.

Consequently the above interpretation of the Peace Treaty does not only mean the defence of large estates and capitalist monopolies, but it also means that the Government of the United Kingdom wishes to help the adherents of the reactionary and fascist régime who were in power in Hungary and to hamper the successful democratic transformation of the country. The Government of Hungary calls the attention of the Government of the United Kingdom to Article 4 of the Peace Treaty which explicitly obliges Hungary not only to dissolve the fascist organizations but also not to allow "the existence and activities of organizations of that nature which have as their aim the denial to the people of their democratic rights".

The Government of Hungary points out that it has been and is proceeding in the sense of these provisions of the Peace Treaty, when dissolving the organizations and parties aiming at the restoration of the old fascist régime and when summoning to the Court those who pursue an activity to overthrow the democratic Republic.

The protest of the Government of the United Kingdom against the measures taken against the fascist and anti-democratic organizations by the Government of Hungary when fulfilling the provisions of the Peace Treaty, makes it obvious that it does not intend to respect the Peace Treaty but wishes to extend its support to those reactionary and anti-democratic elements who would like to restore the rule of the large estates and the monopolies in Hungary.

The Government of Hungary declares once more that Hungary has fulfilled, fulfils and will fulfil all obligations embodied in the Peace Treaty. At the same time the Government of Hungary emphatically protests the tendency of the Government of the United Kingdom to use the stipulations of the Peace Treaty as a pretext for illegitimate interference in the domestic affairs of the sovereign Hungarian State and for supporting the reactionary and fascist forces opposed to the Government of Hungary.

On the basis of the above-exposed arguments the Government of Hungary considers the verbal note of the United Kingdom a new attempt at illegitimate interference in the domestic affairs of this country and a new phase in the campaign of reactionary incitement pursued by the imperialist quarters of the United States and the United Kingdom in the service of their aims threatening peace and directed against the Hungarian people's democracy.

For these reasons the Government of Hungary emphatically rejects the note of the Government of the United Kingdom.

The Government of Hungary is compelled to state with regret that the Government of the United Kingdom, having refrained lately from displaying an independent attitude, has joined the Government of the United States in its actions against the Hungarian people's democracy, the Government of Hungary requests His Majesty's Government to bring the above to the knowledge of the Governments of Canada, Australia and New Zealand.

Annex 5

ROUMANIAN NOTE TO THE UNITED KINGDOM

[Original text : Romanian]

(Received on 19 April, 1949.)

The Ministry of Foreign Affairs presents its compliments to the Legation of Great Britain at Bucharest and has the honour to address to the Legation on behalf of the Government of the Roumanian People's Republic the following communication.

On 2 April the British Legation at Bucharest presented to the Ministry of Foreign Affairs of the Roumanian People's Republic, a note on behalf of the British Government in which, as well as in other earlier notes, were maintained certain allegations made by the British Government concerning certain alleged infractions by the Roumanian Government of the provisions of Article 3 of the Treaty of Peace.

The Government of the Roumanian People's Republic maintains that the contents of the British Government's note regarding the violation by the Roumanian Government of the rights of man and of fundamental liberties does not correspond to reality and repeats the inventions and slanders of the monopoly-imperialist press.

In the Roumanian People's Republic, the exercise of fundamental liberties, freedom of assembly and of manifestation, of the press and of speech, is guaranteed by the Constitution and exercised in practice by placing at the disposal of the working class, facilities for printing paper and assembly rooms.

National and racial discrimination is punishable by law.

The religious communities enjoy freedom of worship and have at their disposal, properties and goods necessary for the exercising of religious practices.

The laws of the Roumanian People's Republic thus guarantee a genuine application of the provisions of Article 3 of the Treaty of Peace.

The Roumanian Government maintains that the British Government has violated, and is violating the Treaty of Peace with Roumania by seeking to ensure the non-application of Article 5 of the Treaty of Peace which provides that the Roumanian Government shall not permit the existence of organizations of a fascist nature and which have, as their object, to deprive the people of their democratic rights.

The note of the British Government quotes, in support of its affirmation, the measures taken by the Roumanian Government against fascist remnants and the sentences imposed by courts of law of the Roumanian People's Republic against the bands of spies and saboteurs assisting the American and British espionage services.

The public trials against these bands [composed of ?] the leaders of the former National Peasant Party, legionnaires, landowners and big business men, who tried to transform Roumania into a hotbed of war, have proved beyond any possibility of doubt, that these people had been instructed and led by officials of the American and British Legations in Bucharest.

This being the case, the Roumanian Government states that the note of the British Government and previous notes seek to lead astray world public opinion which condemns oppression and colonial wars, liberty granted to fascists of the Mosley type to organize and to attack working class meetings, war mongering and policy of aggressive pacts, the maintenance of hotbeds of war and the encouragement of fascist bands which murder women and children wholesale. It is these things which truly constitute a brutal violation of the rights and fundamental liberties of man.

Consequently the Government of the Roumanian People's Republic declares that it does not admit the attempt of the British Government to interfere in the internal affairs of Roumania and rejects the note of the British Government.

Annex 6

BULGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM

[Original text : French]

21 April, 1949.

The Ministry of Foreign Affairs of the People's Republic of Bulgaria has the honour to inform the Legation of the United Kingdom that it has taken cognizance of the tenor of the Legation's note No. 178.

The Government of the People's Republic of Bulgaria has always carried out and will always carry out in a most conscientious manner the clauses of the Peace Treaty, not only because this Government is signatory to the said Treaty, but also because its policy, the expression of the will of the overwhelming majority of the Bulgarian people, is by its inherent nature profoundly democratic and corresponds fully to the letter and spirit of Articles 2, 3, 4 and 5 of the Peace Treaty.

1. Even before the entry into force of the Peace Treaty, the Bulgarian Government had undertaken all measures within the scope of its authority to guarantee the fundamental civil liberties and political rights of Bulgarian citizens, without distinction of race, nationality, sex or religion.

a) The Bulgarian Government convoked, on the basis of universal, secret, equal and direct suffrage, a Grand National Assembly which

enacted the constitutional law of the country ; and this Constitution not only solemnly enshrined those fundamental rights and freedom of Bulgarian citizens which are the subject of Article 2 of the Peace Treaty, but also guaranteed their effective exercise.

(b) At the same time, the Bulgarian Government took the necessary measures for the final liquidation of the fascist régime and the elimination of every attempt to deprive the nation of its democratic rights and freedoms. These measures of the Government were in full conformity with the text of Article 4 of the Treaty ; and moreover the new Bulgarian Constitution, which came into force on 5 December, 1947, guaranteed to the Bulgarian people the necessary right and power to condemn to failure any attempt to promote a fascist or anti-democratic restoration in Bulgaria. In the presence of these well-known facts it is strange that the Government of the United Kingdom could formulate against Bulgaria accusations of non-observance and violation of the political clauses of the Peace Treaty, and of Article 2 of the said Treaty in particular.

2. Similarly, it is surprising that the Government of the United Kingdom has deemed it necessary to support its accusations of violations of the Peace Treaty, in force since 15 September, 1947, by adducing facts which date back to the Armistice period, a time when the three great Powers were able to exercise a wide control over the administration of the country.

3. Moreover, the note of the United Kingdom Government refers to certain deeds and actions of the Bulgarian Government, such as trials, etc., which have taken place since the entry into force of the Peace Treaty. Now that the Bulgarian Government has taken all measures to ensure compliance with all the political clauses of the Peace Treaty, and especially now that Bulgaria has acquired the most democratic constitution in the world and the people have been guaranteed legal power to exercise and defend their rights and freedoms, her Government, as government of a sovereign State, cannot agree to permit other States to pronounce judgment upon its actions, for which it is responsible only to the National Assembly. Still less can it submit to criticism from foreign Powers concerning the actions of Bulgarian courts established by virtue of the Constitution and adjudicating in public in accordance with the most modern and democratic laws.

The Bulgarian Government will repel every attempt at interference in the domestic affairs of Bulgaria and will consider as an unfriendly act any attempt to force it to accept treatment as a State whose internal acts are subject to judgment by foreign Powers.

4. As regards the substance of the accusations formulated in the note of the United Kingdom Government, the Bulgarian Government, without wishing to discuss their compass, rejects them energetically. Under the régime of the people's democracy in Bulgaria, the toiling masses in the towns and villages, which constitute the immense majority of the nation, enjoy not only on paper but also in fact all the fundamental political rights and freedoms of man. Restrictions on the exercise of the freedom of assembly or of association, of the freedom of speech or of the press, do not exist and are not applied in Bulgaria except against offenders in the cases provided by law precisely in the interest

of public security, the maintenance of order and the public morals.

In conclusion, the Government of the People's Republic of Bulgaria considers the note of the Honorable United Kingdom Legation as unfounded, and its tenor, made public by the United Kingdom Government immediately after it had been delivered and long before the present reply, as unfriendly propaganda, incompatible with the principles of international law and such as to encourage the pro-fascist and hostile elements in the country.

Taking note that the Governments of Australia and New Zealand, as signatories of the Peace Treaty, are in agreement with the tenor of the United Kingdom note, the Ministry of Foreign Affairs of the People's Republic of Bulgaria considers that the present reply concerns them equally.

As regards note No. 179 from the United Kingdom Legation, in which that Legation thought fit also to interpret the opinion of the Government of Canada, which is identical with that of the Government of the United Kingdom, the Ministry of Foreign Affairs of the People's Republic of Bulgaria sees no formal reason for such a communication, since Canada is not a signatory to the Peace Treaty with Bulgaria.

The Ministry of Foreign Affairs of the People's Republic of Bulgaria avails itself of this opportunity, etc.

Annex 7

UNITED KINGDOM "NOTE VERBALE" TO BULGARIA

[Original text : English]

31 May, 1949.

His Britannic Majesty's Legation present their compliments to the Bulgarian Ministry of Foreign Affairs, and under instructions from His Majesty's Government in the United Kingdom have the honour to return the following reply to the note from the Ministry of 21 April, 1949, No. 23176-37-1.

2. His Majesty's Government find it necessary to place on record their view that the Bulgarian Government have not addressed themselves to answering the specific charges against them of denying to the Bulgarian people those rights and freedoms which they were pledged to secure to them under Article 2 of the Peace Treaty. In the opinion of His Majesty's Government, the statements and allegations advanced in the Ministry's note under reference are entirely irrelevant to these charges. His Majesty's Government accordingly consider that a dispute has arisen concerning the interpretation and execution of the Treaty, which the Bulgarian Government have shown no disposition to join in settling. The views of His Majesty's Government in the United Kingdom are also shared by the Australian and New Zealand Governments.

3. His Majesty's Minister has therefore been instructed to refer these disputes to his United States and Soviet colleagues for consideration

jointly with himself in accordance with the provision of Article 36 of the Peace Treaty. Copies of his notes to his United States and Soviet colleagues inviting them to a meeting for this purpose are enclosed.

His Britannic Majesty's Legation take this opportunity, etc.

Annex 7 a

UNITED KINGDOM "NOTE VERBALE" TO HUNGARY

[Original text : English]

31 May, 1949.

His Britannic Majesty's Legation present their compliments to the Hungarian Minister of Foreign Affairs and, under instructions from His Majesty's Government in the United Kingdom, have the honour to return the following reply to the note from the Ministry of 8 April, No. 2671/b-1949.

2. His Majesty's Government find it necessary to place on record their view that the Hungarian Government have not addressed themselves to answering the specific charges against them of denying to the Hungarian people, those rights and freedoms which they were pledged to secure to them under Article 2 of the Treaty of Peace. In the opinion of His Majesty's Government the statements and allegations advanced in the Ministry's note under reference are entirely irrelevant to these charges. His Majesty's Government accordingly consider that a dispute has arisen concerning the interpretation and execution of the Treaty which the Hungarian Government have shown no disposition to join in settling. The view of His Majesty's Government in the United Kingdom are also shared by the Canadian, Australian and New Zealand Governments.

3. His Majesty's Minister has therefore been instructed to refer these disputes to his United States and Soviet colleagues for consideration jointly with himself, in accordance with the provisions of Article 40 of the Treaty. Copies of his notes to his United States and Soviet colleagues inviting them to a meeting for this purpose are enclosed.

His Britannic Majesty's Legation avail themselves of this opportunity etc.

Annex 7b

UNITED KINGDOM "NOTE VERBALE" TO ROUMANIA

[Original text : English]

31 May, 1949.

His Majesty's Legation presents its compliments to the Roumanian Ministry of Foreign Affairs and, under instructions from His Majesty's Government in the United Kingdom, has the honour to return the following reply to the note from the Ministry of 18 April, 1949, No. CB.4.351/1949.

2. His Majesty's Government find it necessary to place on record their view that the Roumanian Government have not addressed themselves to answering the specific charges against them of denying to the Roumanian people those rights and freedoms which they were pledged to secure to them under Article 3 of the Treaty of Peace. In the opinion of His Majesty's Government statements and allegations advanced in the Ministry's note under reference are entirely irrelevant to these charges. His Majesty's Government accordingly consider that a dispute has arisen concerning the interpretation and execution of the Treaty which the Roumanian Government have shown no disposition to join in settling. The views of His Majesty's Government in the United Kingdom are also shared by the Canadian, Australian and New Zealand Governments.

3. His Majesty's Minister has therefore been instructed to refer these disputes to his United States and Soviet colleagues for consideration jointly with himself in accordance with the provisions of Article 38 of the Treaty. Copies of his notes to his United States and Soviet colleagues inviting them to a meeting for this purpose are enclosed.

4. His Majesty's Legation avails itself of this opportunity, etc.

Annex 8

LETTER FROM THE BRITISH MINISTER IN SOFIA TO THE UNITED STATES MINISTER

[Original text : English]

31 May, 1949.

Your Excellency,

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to you the text of a copy of a note which was addressed by His Majesty's Legation on 2 April to the Bulgarian Ministry of Foreign Affairs, in which the Bulgarian Government was formally charged with the violation of Article 2 of the Treaty of

Peace with Bulgaria. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Bulgarian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Australian and New Zealand Governments, who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 36 of the Peace Treaty which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 35, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for settlement of such disputes, and I shall be glad if you will inform me at an early date when you will be prepared to meet my Soviet colleague and myself in order that we may take cognizance of this in the manner prescribed in the Peace Treaty.

4. A similar note is being addressed to the representative of the Union of Soviet Socialist Republics and copies are being forwarded to the Bulgarian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) PAUL MASON.

Annex 8 a

LETTER FROM THE BRITISH MINISTER IN BUDAPEST TO THE UNITED STATES
CHARGÉ D'AFFAIRES

[Original text : English]

31 May, 1949.

Sir,

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to you herewith a copy of a note which was addressed by His Britannic Majesty's Legation on 2 April to the Hungarian Ministry of Foreign Affairs, in which the Hungarian Government was formally charged with violation of Article 2 of the Treaty of Peace with Hungary. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Hungarian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Canadian Government, the Australian Government and the New Zealand Government who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 40 of the Treaty of Peace which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Canadian Government, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for the settlement of such disputes and I shall be glad if you will inform me at an early date when you will be prepared to meet my Soviet colleague and myself in order that we may take cognizance of these in the manner prescribed in the Peace Treaty.

4. A similar note is being addressed to the Soviet representative and copies are being forwarded to the Hungarian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) G. A. WALLINGER.

Annex 8b

LETTER FROM THE BRITISH MINISTER IN BUCHAREST TO THE UNITED STATES
MINISTER

[Original text : English]

31 May, 1949.

Your Excellency,

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to you herewith a copy of a note which was addressed by His Majesty's Legation on 2 April to the Roumanian Ministry of Foreign Affairs, in which the Roumanian Government was formally charged with violation of Article 3 of the Treaty of Peace between the Allied and Associated Powers and Roumania. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Roumanian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Canadian Government, the Australian Government and the New Zealand Government, who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 38 of the Treaty of Peace which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 37, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Canadian Government, the Australian Government, and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for settlement of such disputes, and I shall be glad if you will inform me at an early date when you will be prepared to meet my Soviet colleague and myself in order that we may take cognizance of this in the manner prescribed in the Peace Treaty.

4. A similiar note is being addressed to the Soviet representative and copies are being forwarded to the Roumanian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) W. ST. C. ROBERTS.

Annex 9

LETTER FROM THE BRITISH MINISTER IN SOFIA TO THE SOVIET
AMBASSADOR

[Original text : English]

31 May, 1949.

Your Excellency,

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to you the text of a copy of a note which was addressed by His Majesty's Legation on 2 April to the Bulgarian Ministry of Foreign Affairs, in which the Bulgarian Government was formally charged with the violation of Article 2 of the Treaty of Peace with Bulgaria. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Bulgarian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Australian and New Zealand Government, who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 36 of the Peace Treaty which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 35, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a

period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for settlement of such disputes and I shall be glad if you will inform me at an early date when you will be prepared to meet my United States colleague and myself in order that we may take cognizance of this in the manner prescribed in the Peace Treaty.

4. I understand that my United States colleague is addressing to you to-day a communication in similar terms to my present note, calling attention to the existence of a dispute between the United States Government and the Bulgarian Government. I should like to suggest for the purpose of convenience that all four disputes be considered together by the three Heads of Mission.

5. A similar note is being addressed to the United States representative and copies are being forwarded to the Bulgarian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) PAUL MASON.

Annex 9 a

LETTER FROM THE BRITISH MINISTER IN BUDAPEST TO THE SOVIET
AMBASSADOR

[Original text : English]

31 May, 1949.

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to Your Excellency, herewith, a copy of a note which was addressed by His Majesty's Legation on 2 April to the Hungarian Ministry of Foreign Affairs, in which the Hungarian Government was formally charged with violation of Article 2 of the Treaty of Peace with Hungary. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Hungarian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Canadian Government, the Australian Government and the New Zealand Government who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 40 of the Treaty of Peace which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Canadian Government, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for the settlement of such disputes and I shall be glad if Your Excellency will inform me at an early date when Your Excellency will be prepared to meet my United States colleague and myself in order that we may take cognizance of these in the manner prescribed in the Peace Treaty.

4. I understand that my United States colleague is addressing to Your Excellency to-day, a communication in similar terms to my present note, calling attention to the existence of a dispute between the United States Government and the Hungarian Government. I should like to suggest, for purposes of convenience, that all these five disputes be considered together by the three Heads of Mission.

5. A similar note is being addressed to the United States representative and copies are being forwarded to the Hungarian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) G. A. WALLINGER.

*Annex 9 b*LETTER FROM THE BRITISH MINISTER IN BUCHAREST TO THE SOVIET
AMBASSADOR

[Original text : English]

31 May, 1949.

Your Excellency,

I have the honour, on instructions from His Majesty's Government in the United Kingdom, to transmit to you herewith a copy of a note which was addressed by His Majesty's Legation on 2 April to the Roumanian Ministry of Foreign Affairs, in which the Roumanian Government was formally charged with violation of Article 3 of the Treaty of Peace between the Allied and Associated Powers and Roumania. I also enclose a copy of the Ministry's reply, in which these charges are rejected.

2. His Majesty's Government consider that the terms of this reply are unsatisfactory and the Roumanian Ministry of Foreign Affairs have been so informed in a note of which I enclose a copy. The views of His Majesty's Government in the United Kingdom are also shared by the Canadian Government, the Australian Government and the New Zealand Government, who associated themselves with the terms of His Majesty's Legation's note of 2 April. It is evident from this correspondence that disputes have arisen in the sense of Article 38 of the Treaty of Peace which reads as follows :

"1. Except where another procedure is specifically provided under any article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the three Heads of Mission acting under Article 37, except that in this case the Heads of Mission will not be restricted by the time-limit provided in that article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Canadian Government, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this article for settlement of such disputes, and I shall be glad if you will inform me at an early date when you will be prepared to meet

my United States colleague and myself in order that we may take cognizance of this in the manner prescribed in the Peace Treaty.

4. I understand that my United States colleague is addressing to you to-day a communication in similar terms to my present note, calling attention to the existence of a dispute between the United States Government and the Roumanian Government. I should like to suggest, for purposes of convenience, that all these five disputes be considered together by the three Heads of Mission.

5. A similar note is being addressed to the United States representative and copies are being forwarded to the Roumanian Ministry of Foreign Affairs.

I avail myself of this opportunity, etc.

(Signed) W. ST. C. ROBERTS.

Annex 10

NOTE FROM THE SOVIET EMBASSY IN LONDON

[Original text : Russian]

12 June, 1949.

In connexion with the notes handed over by the British Missions in Bulgaria, Hungary and Roumania on 31 May, 1949, to the Soviet Ambassadors in these countries regarding the summoning of a conference of the three Heads of the Diplomatic Missions to consider the dispute which has arisen between the Government of Great Britain and the Governments of Bulgaria, Hungary and Roumania in respect of the interpretation of the Peace Treaties, the Embassy of the U.S.S.R. on instructions from the Soviet Government, declare as follows :

The Soviet Government have studied the above-mentioned notes, and also the notes delivered by the Government of Great Britain on 2 April of this year to Bulgaria, Hungary and Roumania in which the Government of Great Britain charged those countries with violating the Peace Treaties and, in particular, with violating those articles of the said Treaties which concern the safeguarding of the rights of man and of the personal freedoms. The Soviet Government have also studied the answering notes from the Governments of Bulgaria, Hungary and Roumania to the Government of Great Britain.

The Government of the U.S.S.R. consider that, in the said answering notes of the Governments of Bulgaria, Hungary and Roumania, an exhaustive reply is given to the charges made by the Government of Great Britain against these countries regarding the violation of the Peace Treaties. From these replies it is evident that the Governments of Bulgaria, Hungary and Roumania are carrying out with exactitude

the obligations undertaken by them in regard to the Peace Treaties, including the obligation in respect of the safeguarding of the rights of man and of the personal freedoms.

The measures taken by the Governments of Bulgaria, Hungary and Roumania in regard to which the Government of Great Britain expressed their displeasure in their notes of 2 April of this year are not only not an infringement of the Peace Treaties but are, on the contrary, directed towards the implementation of the Peace Treaties which bind the said countries to carry on the struggle against organizations of a fascist type and against other organizations "pursuing the aim of divesting the people of their democratic rights". It goes without saying that such measures as are being carried out by Bulgaria, Hungary and Roumania for the purpose of implementing the articles of the Peace Treaties fall completely within the domestic competence of these countries as sovereign States.

The Soviet Government construe the desire of the Government of Great Britain to convert this question artificially into a subject of dispute as a direct attempt to exploit the Peace Treaties so as to interfere in the domestic affairs of Bulgaria, Hungary and Roumania for the purpose of exerting pressure on their internal policy.

In view of this the Embassy of the U.S.S.R. are authorized to declare that the Soviet Government see no cause for the summoning of a conference of the three Heads of the Diplomatic Missions for the purpose of considering the questions touched upon in the notes of the Missions of Great Britain in Bulgaria, Hungary and Roumania on 31 May of this year.

Annex II

UNITED KINGDOM NOTE IN REPLY TO THE SOVIET EMBASSY'S NOTE OF
12 JUNE, 1949

[Original text : English]

30 June, 1949.

His Majesty's Principal Secretary of State for Foreign Affairs presents his compliments to the Soviet Chargé d'Affaires and has the honour to acknowledge the receipt of His Excellency Monsieur Zaroubin's note No. 42-A of 12 June last. Mr. Bevin regrets that the Soviet Government should have deemed it necessary to deny that there is any reason why the Heads of their Diplomatic Missions in Sofia, Budapest and Bucharest should join their British and United States colleagues to consider the disputes which have arisen concerning the interpretation and execution of the Treaties of Peace, notwithstanding that the procedure proposed for the settlement of such disputes is laid down in the Treaties of Peace.

2. The opinions of the Soviet Government on the merits of the disputes in question, as expressed in the note from the Embassy, are beside the

point. The facts are that disputes have arisen and that the Peace Treaties require that they should be settled by a special procedure.

3. The refusal of the Soviet Government to co-operate in putting this procedure into practice is liable to be interpreted as an attempt on their part to frustrate one of the provisions of the Peace Treaties. Such refusal, moreover, is in marked contradiction with the regard for the Treaties frequently expressed by the Soviet Government.

4. In the light of the foregoing, His Majesty's Government trust that, on further reflection, the Soviet Government will see fit to reconsider their decision as conveyed in the note of 12 June from the Embassy.

Annex 12

BULGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM

[Original text: French]

27 July, 1949.

With reference to note No. 98 (79/49) of the United Kingdom Legation dated 31 May, 1949, the Ministry of Foreign Affairs of the People's Republic of Bulgaria considers it indispensable to make the following statement:

The Government of the People's Republic of Bulgaria considers that there is no justification for the decision of the Government of the United Kingdom to resort to the procedure established by Article 36 of the Treaty of Peace in connexion with the execution by Bulgaria of the provisions of Article 2 of the same Treaty, all the more since the British Government was already in possession of the detailed reply and the reasons of the Bulgarian Government, as set forth in the note of 21 April, 1949.

The British Legation's note states that a dispute exists between the United Kingdom and Bulgaria regarding the execution of Article 2 of the Peace Treaty although the United Kingdom has not disputed or raised any objection to and is unable to dispute or raise any objection to the statement contained in the above-mentioned note of the Ministry of Foreign Affairs, dated 21 April, 1949. The said note points out correctly that the Constitution of the People's Republic of Bulgaria which entered into force on 6 December, 1947, establishes and guarantees to Bulgarian citizens without distinction as to race, nationality, religion, origin or social position all the rights and liberties which are mentioned in Article 2 of the Treaty of Peace. Thus in full accordance with the Treaty of Peace the Constitution states:

Article 71.—All citizens of the People's Republic of Bulgaria are equal before the law.

No privileges based on nationality, origin, religion or material condition are recognized.

The propagation of racial, national or religious hatred is punishable by law."

"*Article 78.*—Citizens are guaranteed freedom of conscience and religion, as well as freedom to perform their religious rites.

The Church is separated from the State.

The legal status, questions of material maintenance and the right of the religious communities to self-government and organization is governed by a special law.

It is unlawful to use the Church or religion for political purposes and to establish political organizations on a religious basis."

"*Article 82.*—The freedom and inviolability of the person are guaranteed.

No person shall be detained for more than forty-eight hours without an order from the judicial authorities or the prosecutor.

Penalties shall be imposed only in virtue of the laws in operation.

Penalties shall be personal and in proportion to the offence committed.

Penalties for offences shall be imposed only by the proper courts.

An accused person shall be entitled to be defended."

"*Article 87.*—Bulgarian citizens have the right to form societies, associations and organizations, provided that these are not directed against public order and the State and are not in contradiction with the present Constitution.

The law prohibits and punishes the formation of and participation in organizations, the aim of which is to deprive the Bulgarian people or impede them in the exercise of the rights and freedoms won by conquest through the national uprising of 9 September, 1944, and guaranteed by the present Constitution, or to threaten national independence and the sovereignty of the State, or which overtly or secretly advocate fascist and anti-democratic ideology or facilitate imperialist aggression."

"*Article 88.*—Citizens of the People's Republic are guaranteed freedom of the press, speech, assembly, meetings and manifestations."

These perfectly clear constitutional provisions leave no room for any possible dispute in so far as concerns the execution and interpretation of Article 2 of the Treaty of Peace.

But the British Legation has neither contested nor been able to contest the Bulgarian position, namely that the actual cases enumerated in its note not only do not constitute violations of the Treaty of Peace but on the contrary are covered by the execution of the Peace Treaty and more especially Article 4 of this Treaty which for reasons not known to the Ministry of Foreign Affairs has been passed over in silence in the note of the British Legation. Article 4 of the Treaty of Peace states :

"*Article 4.*—Bulgaria, which in accordance with the Armistice Agreement has taken measures for dissolving all organizations of

a fascist type on Bulgarian territory, whether political, military or paramilitary, as well as other organizations conducting propaganda hostile to the United Nations, shall not permit in future the existence and activities of organizations of that nature which have as their aim denial to the people of their democratic rights."

That obligation deriving from the Treaty of Peace is included in part II of the above-mentioned Article 87 of the Constitution of the People's Republic of Bulgaria.

The British Legation has neither contested nor been able to contest the point of view of the Bulgarian Government, namely that neither the question of the various cases before our Bulgarian courts nor the acts of the administrative authorities and others in various cases can be made the subject of discussion in connexion with the execution of the Peace Treaty since, from the point of view of the principles of international law, of the text and spirit of the Treaty and of the very precise provisions of Article 2 of the United Nations Charter, such a discussion would constitute an inadmissible interference in the internal affairs of our country and constitute an infringement of its sovereignty.

With regard to all these questions and also with regard to the other points of view of the Bulgarian Government concerning the execution of Article 2 of the Treaty of Peace, there has been no discussion regarding them and still less could there be any question of discussion for the settlement of a non-existent dispute. In the British Legation's note allusion is wrongly made to a dispute without the subject and extent of this dispute being specified.

Consequently, the Bulgarian Government considers that in this case no evidence has been forthcoming to establish the facts required nor the grounds for procedure permitting of the application of Article 36 of the Treaty of Peace and considers that the claims of the British Legation to set in motion the procedure provided in the said Article 36 of the Treaty do not conform to the provisions of the Treaty itself and of international law and rejects them categorically.

The Ministry of Foreign Affairs has the honour, etc.

Annex 13

UNITED KINGDOM "NOTE VERBALE" TO BULGARIA

[Original text : English]

1 August, 1949.

His Britannic Majesty's Legation present their compliments to the Bulgarian Ministry of Foreign Affairs and under instructions from His Majesty's Government in the United Kingdom have the honour to return the following reply to the Ministry's note No. 231-50-I of 27 July.

2. In the opinion of His Majesty's Government the considerations advanced in the Ministry's note under reference are no more relevant

to the charges made against the Bulgarian Government of failing to implement their obligations under Article 2 of the Peace Treaty than were the considerations which were advanced in the Ministry's previous note of 21 April. It is therefore still the case that a dispute exists about the interpretation and execution of the Treaty.

3. The Soviet Government, in spite of the provisions of the Treaty, have not seen fit to authorize their representative in Bulgaria to join his British and United States colleagues in considering the dispute, and although two months have elapsed since the Soviet representative was invited to a meeting for this purpose the meeting has not yet taken place and the dispute remains unresolved.

4. The Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months should, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to a Commission composed of one representative of each party and a third member, selected by mutual agreement of the two parties, from nationals of a third country. His Majesty's Government in the United Kingdom in the circumstances request that the dispute be referred to a Commission constituted in this manner, and they have instructed His Majesty's Legation to invite the Bulgarian Government to join His Majesty's Government in appointing such a Commission.

5. His Majesty's Governments in Australia and New Zealand, between whom and the Bulgarian Government disputes have also arisen, associate themselves with the terms of the present note.

6. His Britannic Majesty's Legation take this opportunity, etc.

Annex 13a

UNITED KINGDOM "NOTE VERBALE" TO ROUMANIA

[Original text : English]

1 August, 1949.

His Majesty's Legation present their compliments to the Roumanian Ministry of Foreign Affairs and under instructions from His Majesty's Government in the United Kingdom have the honour to refer to their note of 31 May about the dispute which has arisen concerning the interpretation and execution of the Treaty of Peace.

2. The Soviet Government, in spite of the provisions of the Treaty, have not seen fit to authorize their representative in Roumania to join his British and United States colleagues in considering this dispute, and although two months have elapsed since the Soviet representative was invited to a meeting for this purpose the meeting has not yet taken place and the dispute remains unresolved.

3. The Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months should, unless the parties to the dispute mutually agree upon another

means of settlement, be referred at the request of either party to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. His Majesty's Government in the United Kingdom in the circumstances request that the dispute be referred to a Commission constituted in this manner, and they have instructed His Majesty's Legation to invite the Roumanian Government to join with His Majesty's Government in appointing such a Commission.

4. His Majesty's Governments in Canada, Australia and New Zealand, between whom and the Roumanian Government disputes have also arisen, associate themselves with the terms of the present note.

His Britannic Majesty's Legation avail themselves of this opportunity, etc.

Annex 13b

UNITED KINGDOM "NOTE VERBALE" TO HUNGARY

[Original text: English]

1 August, 1949.

His Britannic Majesty's Legation present their compliments to the Hungarian Ministry of Foreign Affairs and, under the instructions from His Majesty's Government in the United Kingdom, have the honour to refer to their note No. 255 of 31 May about the dispute which has arisen concerning the interpretation and execution of the Treaty of Peace.

2. The Soviet Government, in spite of the provisions of the Treaty, have not seen fit to authorize their representative in Hungary to join his British and United States colleagues in considering this dispute, and although two months have elapsed since the Soviet representative was invited to a meeting for this purpose, the meeting has not yet taken place and the dispute remains unresolved.

3. The Treaty provides that any dispute of this kind which is not resolved by the three Heads of Mission within a period of two months should, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. His Majesty's Government in the United Kingdom in the circumstances request that the dispute be referred to a Commission constituted in this manner, and they have instructed His Majesty's Legation to invite the Hungarian Government to join His Majesty's Government in appointing such a Commission.

4. His Majesty's Governments in Canada, Australia and New Zealand, between whom and the Hungarian Government disputes have also arisen, associate themselves with the terms of the present note.

His Britannic Majesty's Legation avail themselves of this opportunity, etc.

*Annex 14*HUNGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND

[Original text : English]

26 August, 1949.

The Hungarian Ministry of Foreign Affairs presents its compliments to the Legation of the United Kingdom in Budapest, and, with reference to the Legation's note No. 350 in the name of its Government, has the honour to state the following :

The Hungarian Government consequently fulfilled and fulfils the provisions of the Peace Treaty. The Hungarian Government has, in a manner leaving no doubts, brought this to the notice of the Government of the United Kingdom several times in its notes Nos. 2015/1949 and 2671/1949.

Referring to Article 40 of the Peace Treaty, the Government of the United Kingdom in its note invites the Hungarian Government to send its representative in the Commission to be set up in the terms of this paragraph. However, as it is stressed in the Legation's note—paragraph 40 stipulates that the Commission be delegated only in case of a "dispute" concerning the interpretation and carrying out of the Peace Treaty. There can be no question, however, about such a "dispute"—because—as it can clearly be seen in the enumerated notes of the Hungarian Ministry of Foreign Affairs—the Hungarian Government has exactly fulfilled its obligations assumed in the Peace Treaty.

With the view that the Peace Treaty explicitly recognized Hungary's sovereignty and, at the same time, made it obligatory to the Hungarian Government to take proper measures against tendencies of fascist character, the Hungarian Ministry of Foreign Affairs expresses its surprise upon the fact that the note of the United Kingdom wishes to make a matter of dispute out of such measures taken by the Hungarian Government which exclusively belong to the internal affairs of the Sovereign Hungarian State, and which directly follow from the consequent carrying out of the Peace Treaty.

After all this the Hungarian Government can give no other interpretation to the note of the Government of the United Kingdom than it being a repeated attempt to interfere with the internal affairs of the Hungarian People's Republic. The Government of the United Kingdom obviously wishes to impose a pressure on Hungary to induce the Hungarian Government to subordinate its policy to the endeavours of the Government of the United Kingdom. The Hungarian Government is not willing to do so and categorically states that it will continue maintaining the consistently democratic trend of its policy aiming at defence of peace.

In view of the above said, [*sic*] the Hungarian Government rejects the note of the Government of the United Kingdom transmitted through its Legation as offending the sovereignty of the Hungarian People's Republic, and states that Hungary considers the setting up of a Commission with reference to Article 40 of the Peace Treaty groundless and purposeless and consequently will not participate in it.

*Annex 15*BULGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

[Original text : French]

1 September, 1949.

In reply to the note of 1 August, 1949, of the Honourable United Kingdom Legation in Sofia, the Ministry of Foreign Affairs of the People's Republic of Bulgaria is obliged to note with regret that the Government of the United Kingdom has shown no desire to examine the considerations which the Bulgarian Government set forth in its notes Nos. 23176/37/I and 23150/I of 21 April and 27 July, 1949, respectively.

Supplementing that which was set forth in its preceding notes, the Ministry of Foreign Affairs of the People's Republic of Bulgaria is instructed by its Government to state the following :

The Bulgarian Government is of the opinion that the invitation which has been extended to it to participate in the Commission provided for in Article 36 of the Peace Treaty is completely unjustified. The Government of the People's Republic of Bulgaria has always fulfilled and continues to fulfil the obligations incumbent on it under the Peace Treaty. It receives with surprise the accusations of the Government of the United Kingdom pertaining to matters with respect to which the Bulgarian Government has put forth great efforts and has achieved the best results, especially as regards the democratization of the country and the safeguarding of the rights and liberties of Bulgarian citizens.

The action taken by the Bulgarian Government in execution of its obligations under Article 4 of the Peace Treaty could not be described as violation of that Treaty.

The Government of the People's Republic of Bulgaria maintains its point of view, i.e. that this is not a dispute in the sense of Article 36 of the Peace Treaty, capable of being submitted to investigation and resolved in accordance with the procedure provided for in the said text. The tenor of the notes addressed by the Honourable Legation in connexion with the alleged violation of Article 2 and the replies of the Ministry to those notes do not disclose any definite object of dispute. In its notes the Government of the United Kingdom has merely expressed its unilateral opinion and pronounced a judgment not corresponding to reality on the régime of the People's Democracy in Bulgaria.

The Government of the People's Republic of Bulgaria can only interpret the "dispute" which the Government of the United Kingdom is trying artificially to create as an attempt at intervention in the internal affairs of Bulgaria and pressure on the Bulgarian Government in order to bring about a change in its policy in the direction desired by the Government of the United Kingdom. These attempts are a violation of the sovereignty of Bulgaria and in flagrant contradiction with the fundamental principles of the Charter of the United Nations and with the spirit of the Peace Treaty.

In view of all these considerations, the Bulgarian Government cannot accept the invitation addressed to it with a view to the constitution of the Commission provided for in Article 36 of the Peace Treaty.

*Annex 16*ROUMANIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

[Original text : Romanian]

2 September, 1949.

The Ministry of Foreign Affairs presents its compliments to the British Legation, and with reference to the Legation's note No. 204 of 1 August regarding the interpretation and execution of Article 3 of the Treaty of Peace and the application of Article 38 of the Treaty of Peace, has the honour to inform the Legation, on behalf of the Government of the Roumanian People's Republic, as follows :

The Government of the Roumanian People's Republic demonstrated in its note of 18 April that the laws of the Republic guarantee a strict application of the provisions of Article 3 of the Treaty and of the obligations assumed in accordance with the Treaty of Peace.

The régime of People's Democracy ensures to the people the fundamental human rights and freedoms. The Constitution of the Roumanian People's Republic guarantees freedom of assembly and demonstration, of speech and of the press, assures freedom of religion and prohibits racial and religious discrimination which is punishable by law ; women enjoy complete equality of rights.

The fundamental human freedoms and rights are realized in practice by placing at the disposal of those who work assembly halls, printing facilities and paper. Religious communities own goods and property necessary for the exercise of religious practices.

The continuous progress of the national economy, freedom from the scourge of depression and unemployment, the rising standard of living of the workers, the improvement of their cultural level provide the material and moral basis which permits the people to make full use of the fundamental human rights and liberties.

In view of these facts the Government of the Roumanian People's Republic considers that the affirmations contained in the British Legation's notes Nos. 163 of 31 May, 1949, and 204 of 1 August, 1949, regarding the interpretation and execution of the Treaty of Peace do not correspond to the facts.

Consequently, the Government of the Roumanian People's Republic does not consider that any motive exists for having recourse to Article 38 of the Peace Treaty.

The Government of the Roumanian People's Republic affirms that the British Government is persisting in its endeavour to ensure the non-application by the Government of the Republic of Article 5 of the Treaty of Peace, and making a dispute of the question of the measures taken by the Roumanian Government against fascist remnants and of the sentences passed by the courts of the Republic against the spies and saboteurs in the service of foreign espionage agencies, measures

which both correspond to the provisions of the Treaty of Peace and which are also wholly within the competence of the internal jurisdiction of the Republic as a sovereign State.

In these persistent endeavours of the British Government can clearly be seen that Government's tendency to interfere in the internal affairs of the Roumanian People's Republic and to seek to make use of articles of the Treaty of Peace as a pretext to exert pressure with the object of changing the policies of the Roumanian Government in a direction favourable to the interests of the Governments of the United States and United Kingdom, and against the will and interest of the Roumanian people.

For these reasons, the Government of the Roumanian People's Republic rejects as wholly unfounded the request of the British Government expressed in its note of 1 August, 1949.

Annex 17

UNITED KINGDOM "NOTE VERBALE" TO BULGARIA

[Original text : English]

19 September, 1949.

His Majesty's Legation present their compliments to the Bulgarian Ministry of Foreign Affairs and under instructions from His Majesty's Government in the United Kingdom have the honour to refer to the Ministry's note concerning the interpretation and execution of the Treaty of Peace.

His Majesty's Government are unable to accept the reasons advanced by the Bulgarian Government for refusing to comply with the clear provisions of the Treaty. Nor do they understand how the Bulgarian Government can maintain that no dispute has arisen in the sense of Article 36 of the Treaty in view of the manifest divergence between the views of that Government and those of His Majesty's Government as expressed in the notes which they have already exchanged.

His Majesty's Government do not recognize any right in the Bulgarian Government to arrogate to itself the sole interpretation of the Treaty of Peace to which it is itself only one party. Article 36 would be meaningless if the Bulgarian Government were to be the sole arbiter of the execution of its obligations under the Peace Treaty. As to the suggestion that the action of His Majesty's Government in invoking the Peace Treaty constitutes an unwarranted intervention in Bulgarian internal affairs it is obvious that the sovereignty of Bulgaria is in fact limited by the international obligations of the Bulgarian Government.

The claim that the Bulgarian Government has complied with Article 4 of the Treaty does not excuse breaches of other articles.

Article 4 was not intended to be used as cloak for the denial of the fundamental freedoms specified in Article 2 nor as a pretext for the suppression of all opposition to the rule of a minority.

His Majesty's Government are forced to regard the Bulgarian Government's refusal to join in establishing a Commission such as is provided for in Article 36 for the resolution of disputes as a further deliberate breach of its obligations under the Treaty of Peace. They are none the less determined to take all possible measures which may be open to them to secure the Bulgarian Government's compliance with the provisions of the Treaty under Articles 2 and 36.

Annex 17 a

UNITED KINGDOM "NOTE VERBALE" TO HUNGARY

[Original text: English]

19 September, 1949.

His Majesty's Legation present their compliments to the Hungarian Ministry of Foreign Affairs and under instructions from His Majesty's Government in the United Kingdom have the honour to refer to the Ministry's note concerning the interpretation and execution of the Treaty of Peace.

His Majesty's Government are unable to accept the reasons advanced by the Hungarian Government for refusing to comply with the clear provisions of the Treaty. Nor do they understand how the Hungarian Government can maintain that no dispute has arisen in the sense of Article 40 of the Treaty in view of the manifest divergence between the views of that Government and those of His Majesty's Government, as expressed in the notes which they have already exchanged.

His Majesty's Government do not recognize any right in the Hungarian Government to arrogate to itself the sole interpretation of the Treaty of Peace to which it is itself only one party. Article 40 would be meaningless if the Hungarian Government were to be the sole arbiter of the execution of its obligations under the Peace Treaty. As to the suggestion that the action of His Majesty's Government in invoking the Peace Treaty constitutes an unwarranted intervention in Hungarian internal affairs it is obvious that the sovereignty of Hungary is in fact limited by the international obligations of the Hungarian Government.

The claim that the Hungarian Government has complied with Article 4 of the Treaty does not excuse breaches of other articles.

Article 4 was not intended to be used as cloak for the denial of the fundamental freedoms specified in Article 2 nor as a pretext for the suppression of all opposition to the rule of a minority.

His Majesty's Government are forced to regard the Hungarian Government's refusal to join in establishing a Commission such as is provided for in Article 40 for the resolution of disputes as a further deliberate breach of its obligations under the Treaty of Peace. They are none the less determined to take all possible measures which may be open to them to secure the Hungarian Government's compliance with the provisions of the Treaty under Articles 2 and 40.

Annex 17 b

UNITED KINGDOM "NOTE VERBALE" TO ROUMANIA

[Original text : English]

19 September, 1949.

His Majesty's Legation present their compliments to the Roumanian Ministry of Foreign Affairs and under instructions from His Majesty's Government in the United Kingdom have the honour to refer to the Ministry's note concerning the interpretation and execution of the Treaty of Peace.

His Majesty's Government are unable to accept the reasons advanced by the Roumanian Government for refusing to comply with the clear provisions of the Treaty. Nor do they understand how the Roumanian Government can maintain that no dispute has arisen in the sense of Article 38 of the Treaty in view of the manifest divergence between the views of that Government and those of His Majesty's Government as expressed in the notes which they have already exchanged.

His Majesty's Government do not recognize any right in the Roumanian Government to arrogate to itself the sole interpretation of the Treaty of Peace to which it is itself only one party. Article 38 would be meaningless if the Roumanian Government were to be the sole arbiter of the execution of its obligations under the Peace Treaty. As to the suggestion that the action of His Majesty's Government in invoking the Peace Treaty constitutes an unwarranted intervention in Roumanian internal affairs it is obvious that the sovereignty of Roumania is in fact limited by the international obligations of the Roumanian Government.

The claim that the Roumanian Government has complied with Article 4 of the Treaty does not excuse breaches of other articles.

Article 4 was not intended to be used as cloak for the denial of the fundamental freedoms specified in Article 3 nor as a pretext for the suppression of all opposition to the rule of a minority.

His Majesty's Government are forced to regard the Roumanian Government's refusal to join in establishing a Commission such as is provided for in Article 38 for the resolution of disputes as a further deliberate breach of its obligations under the Treaty of Peace. They are none the less determined to take all possible measures which may be open to them to secure the Roumanian Government's compliance with the provisions of the Treaty under Articles 3 and 38.

First Addendum to Folder 7

LETTER FROM THE REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

[Original text : English]

(179/180/49.)

New York, 19 November, 1949.

In connexion with Resolution adopted by the General Assembly on 22 October, 1949, regarding the observance in Bulgaria, Hungary and Rumania of human rights and fundamental freedoms (A/1043), and in continuation of my letter of 19 September, I have the honour to transmit to you herewith a copy of the reply which has been received from the Hungarian Ministry of Foreign Affairs, dated 27 October, 1949, to his Majesty's Government's note of 19 September.

(Signed) Alexander CADOGAN,
Representative of the United Kingdom
of Great Britain and Northern Ireland
to the United Nations

Annex

HUNGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

[Original text : English]

9897/1949.

Budapest, October 27, 1949.

The Hungarian Ministry for Foreign Affairs presents its compliments to the British Legation and, with reference to the Legation's note No. 475 of the 19th September, 1949, has the honour to impart as follows :

The Hungarian Government regret to state that the Government of the United Kingdom deemed it opportune to renew the accusations, deprived of all real basis whatsoever, and rejected most categorically by the Hungarian Government — notwithstanding that the Hungarian Government on several occasions had clearly explicated in its notes Nos. 2671 and 7795/1949 and undoubtedly proved that they were minutely observing the stipulations contained in Article 2 of the Peace Treaty.

The Hungarian Government once again rejected most categorically that tendentious and false interpretation of the Peace Treaty, by which the British Government try to contrast the stipulations contained respectively in Articles 2 and 4 of the Treaty. The Hungarian Government do not see any contradiction between the observing of the stipulations of Article 2 of the Treaty and the fight against fascist and pro-fascist elements prescribed by Article 4 of the same Treaty. On the

contrary, a consequent compliance with the stipulations of Article 4 is a condition *sine qua non* of guaranteeing to all peoples and to the Hungarian people among them, the rights defined by Article 2 of the Treaty.

It has resulted clearly from the documents of the trials against Mindszenty and his accomplices and recently against Laszlo Rajk and his accomplices, that the persons convicted for their anti-democratic activity were guilty of a conspiracy aiming at the reverse of the present democratic régime, and to annihilate the liberties acquired by the people, and to establish a fascist régime of oppression, worse than any other previous régime of the kind. Accordingly, the Hungarian Government, far from infringing the Peace Treaty, act explicitly in compliance with its stipulations when inflicting a blow upon the vile enemies of liberty and democracy who have degenerated to espionage and murderous attempts. If the Governments of the United Kingdom and of the United States accuse the Hungarian Government, this can have but one reason, i.e. the ruling circles of these countries are hostile to the independence and development of the people's democracies and, as it was proved by the afore-mentioned trials, support, in Hungary too, the most desperate enemies of democracy, directing them by their own network of spies, as well as by Tito and his clique, attached to their service.

As a matter of fact, the Hungarian Government have repeatedly stated that, precisely these Governments have, on several occasions, infringed the stipulations of the Peace Treaty relating to Hungary, when unlawfully denying the restitution of Hungarian property found in their respective zones of occupation, when refusing the extradition of the Hungarian war-criminals escaped into their territory, when supporting these war-criminals in their anti-democratic activity and when even rendering possible the organization and equipment of military formations of Hungarian fascists on the territory occupied by them.

Furthermore, the Hungarian Government states with astonishment that, in addition to the accusations already known and repeatedly refuted, the Government of the United Kingdom expresses the opinion—which is quite new and in no way compatible with the rules and spirit of international law—that, by assuming certain obligations through the signature of the Treaty of Peace, Hungary has become a State with limited sovereignty.

When signing the Peace Treaty, Hungary was not, nor is she at present, inclined to surrender her sovereignty—on the contrary, she will defend her independence and unhampered democratic development against any imperialist interference. The Hungarian Government consider the arbitrary interpretation of the Peace Treaty by the British Government an attempt to claim a right to constantly interfere with Hungary's internal affairs, ignoring the independence of the Hungarian State.

The Hungarian Government categorically reject, moreover, the wholly fictitious calumny of the British Government, alleging that the present Hungarian régime be merely "the rule of a minority". It is a notorious fact that at the general elections on the 15th May of 1949 the Hungarian people manifested their will in the most democratic way—by general and secret ballot—and decided to support by 95.5% of their votes

the policy carried on by the present Hungarian Government. In view of this, the fact that the British Government alleges in a diplomatic note the present Hungarian Government as being "the rule of a minority" cannot be regarded by the Hungarian Government but an evil-minded propagandistic manoeuvre, based upon the denial of true facts.

In consideration of the above said, the Hungarian Government reject most categorically the note No. 475 of the British Legation, as a new attempt of unlawful interference with the internal affairs of Hungary.

The Hungarian Ministry for Foreign Affairs avails itself of this opportunity, etc.

LETTER FROM THE REPRESENTATIVE OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO
THE SECRETARY-GENERAL OF THE UNITED NATIONS

[Original text : English]

No. 5 (1/11/50).

New York, 6 January, 1950.

With reference to my letter No. 179/178/49 of 17 November, enclosing copies of correspondence relating to the steps taken by His Majesty's Government in the United Kingdom to secure the implementation of certain clauses of the Peace Treaties with Hungary, Romania and Bulgaria, I have the honour to transmit to Your Excellency copies of three notes which my Government sent on 5 January to the Governments of Hungary, Romania, and Bulgaria. These notes informed the three Governments of the appointment of Mr. F. Elwyn Jones, K.C., M.P., as His Majesty's Government's representative on the Commissions prescribed in the relevant articles in the three Peace Treaties for the settlement of disputes concerning the interpretation or execution of those Treaties.

2. I have the honour, upon instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to request Your Excellency to transmit copies of the enclosed notes to the International Court of Justice and to all Members of the United Nations in connexion with the General Assembly resolution of 22 October, 1949 (A/1043).

(Signed) ALEXANDER CADOGAN,
Representative of the United Kingdom
of Great Britain and Northern Ireland
to the United Nations

Annexes

UNITED KINGDOM "NOTE VERBALE" TO ROUMANIA

[Original text : English]

5 January, 1950.

His Majesty's Legation present their compliments to the Roumanian Ministry of Foreign Affairs and with reference to their note No. 204 of 1st August regarding the reference to a Commission, as laid down in Article 38 of the Peace Treaty with Roumania, of their dispute with the Roumanian Government over the interpretation of Article 3 of the Treaty, have the honour to inform them that His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission. It is accordingly requested that the Roumanian Government appoint their representative forthwith and at the same time enter into consultation with His Majesty's Government in the United Kingdom with a view to the appointment of the third member as stipulated in the Peace Treaty.

2. His Majesty's Legation avail themselves of this opportunity, etc.
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UNITED KINGDOM "NOTE VERBALE" TO HUNGARY

[Original text : English]

5 January, 1950.

His Majesty's Legation present their compliments to the Hungarian Ministry of Foreign Affairs and with reference to their note No. 350 of 1st August regarding the reference to a Commission, as laid down in Article 40 of the Peace Treaty with Hungary, of their dispute with the Hungarian Government over the interpretation of Article 2 of the Treaty, have the honour to inform them that His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission. It is accordingly requested that the Hungarian Government appoint their representative forthwith and at the same time enter into consultation with His Majesty's Government in the United Kingdom with a view to the appointment of the third member as stipulated in the Peace Treaty.

2. His Majesty's Legation avail themselves of this opportunity, etc.
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UNITED KINGDOM "NOTE VERBALE" TO BULGARIA

[Original text : English]

5 January, 1950.

His Majesty's Legation present their compliments to the Bulgarian Ministry of Foreign Affairs and with reference to their note No. 410

of 1st August regarding the reference to a Commission, as laid down in Article 36 of the Peace Treaty with Bulgaria, of their dispute with the Bulgarian Government over the interpretation of Article 2 of the Treaty, have the honour to inform them that His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission. It is accordingly requested that the Bulgarian Government appoint their representative forthwith and at the same time enter into consultation with His Majesty's Government in the United Kingdom, with a view to the appointment of the third member as stipulated in the Peace Treaty.

2. His Majesty's Legation avail themselves of this opportunity, etc.

NOTE FROM THE REPRESENTATIVE OF CANADA TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

[Original text : English]

New York, 6 January, 1950.

The permanent representative of Canada to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the disputes which have arisen between the Hungarian and Romanian Governments on the one hand, and the Canadian Government on the other, concerning the interpretation of Articles 2 and 3 of the Peace Treaties with Hungary and Romania respectively.

As regards the dispute between the Canadian Government and the Hungarian Government, the permanent representative of Canada has the honour to enclose a copy of the note which was presented to the Hungarian Government by the United Kingdom Minister in Budapest on behalf of the Canadian Government on 5 January, 1950. In this note the Canadian Government informed the Hungarian Government of the appointment of the Right Honourable Justice J. L. Hsley, P.C., as the Canadian Government's representative on the proposed Commission envisaged in Article 40 of the Peace Treaty with Hungary.

As regards the dispute between the Canadian Government and the Romanian Government, the permanent representative of Canada has the honour to enclose a copy of the note which was presented to the Romanian Government by the United Kingdom Minister in Bucharest on behalf of the Canadian Government on 5 January, 1950. In this note the Canadian Government informed the Romanian Government of the appointment of the Right Honourable Justice J. L. Hsley, P.C., as the Canadian Government's representative on the proposed Commission envisaged in Article 38 of the Peace Treaty with Romania.

The permanent representative of Canada to the United Nations has the honour to request, upon the instructions of the Secretary of State, for External Affairs, that you be kind enough to transmit copies of the enclosed notes to all Members of the United Nations, and also to the International Court of Justice in connexion with the General Assembly Resolution of 22 October, 1949 (A/1043).

Annexes

CANADIAN NOTE TO HUNGARY

[Original text : English]

5 January, 1950.

His Majesty's Legation present their compliments to the Ministry of Foreign Affairs and with reference to their note of August 1, regarding the reference to a Commission, as laid down in Article 40 of the Peace Treaty with Hungary, of their dispute with the Government over the interpretation of Article 2 of the Treaty, have the honour, on behalf of the Canadian Government, to inform the Government of Hungary that the Canadian Government has appointed Right Honourable Justice J. L. Ilsley, P.C., as its representative on the proposed Commission. It is accordingly requested that the Hungarian Government appoint its representative forthwith and, at the same time, enter into consultation with the Canadian Government through the Canadian Ambassador in Washington with a view to the appointment of the third member of the Commission as stipulated in the Peace Treaty.

CANADIAN NOTE TO ROUMANIA

[Original text : English]

5 January, 1950.

His Majesty's Legation present their compliments to the Ministry of Foreign Affairs and with reference to their note of August 1, regarding the reference to a Commission, as laid down in Article 38 of the Peace Treaty with Roumania, of their dispute with the Government over the interpretation of Article 3 of the Treaty, have the honour, on behalf of the Canadian Government, to inform the Government of Roumania that the Canadian Government has appointed Right Honourable Justice J. L. Ilsley, P.C., as its representative on the proposed Commission. It is accordingly requested that the Roumanian Government appoint its representative forthwith and, at the same time, enter into consultation with the Canadian Government through the Canadian Ambassador in Washington with a view to the appointment of the third member of the Commission as stipulated in the Peace Treaty.

LETTER FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

[Original text : English]

New York, 6 January, 1950.

I have the honour to refer to my note UN-2748 of September 20, 1949, forwarding to you copies of certain diplomatic correspondence relevant to the question of observance of human rights in Bulgaria, Hungary and Romania [General Assembly Resolutions of 30 April 1949 (272 (III)), and 22 October, 1949 (A/1043)].

On 27 October, 1949, subsequent to the date of my letter, the Government of Hungary addressed a further note to the Government of the United States (Annex 1). On 5 January, 1950, the Government of the United States directed notes to the Governments of Bulgaria, Hungary and Romania (Annexes 2, 3 and 4).

I am enclosing copies of these notes with a request that you be kind enough to transmit copies of the notes to all Members of the United Nations and also to the International Court of Justice in connexion with the General Assembly Resolution of 22 October, 1949 (A/1043).

(Signed) WARREN R. AUSTIN
United States Representative
to the United Nations.

UN-2748/C.

Enclosures :

Annex 1. Hungarian note of 27 October, 1949, to U.S.

Annex 2. U.S. note of 5 January, 1950, to Bulgaria.

Annex 3. U.S. note of 5 January, 1950, to Hungary.

Annex 4. U.S. note of 5 January, 1950, to Romania.

Annex 1

HUNGARIAN NOTE TO THE UNITED STATES

[Original text : English]

27 October, 1949.

The Hungarian Ministry for Foreign Affairs presents its compliments to the Legation of the United States of America and, with reference to the Legation's note No. 592, dated September 19, 1949, has the honour to impart as follows :

The Hungarian Government regrets to state that the Government of the United States deemed it opportune to renew the accusations, deprived of all real basis whatsoever, and rejected most emphatically by the Hungarian Government on several occasions—notwithstanding that the Hungarian Government had clearly explicated and undoubtedly proved in its notes Nos. 2672 and 7796/1949 that it was minutely observing the stipulations contained in Article 2 of the Peace Treaty.

The Hungarian Government once again rejects most categorically that tendentious and false interpretation of the Peace Treaty by which the Government of the United States tries to contrast the stipulations of Article 2 and 4 of the Treaty. The Hungarian Government does not see any contradiction between the observing of the stipulations contained in Article 2 of the Peace Treaty and the fight against fascist and profascist elements prescribed by Article 4 of the same Treaty. On the contrary, a consequent compliance with the stipulations of Article 4 is a condition *sine qua non* of guaranteeing to all peoples and to the Hungarian people among them, the rights defined by Article 2 of the Treaty.

It has resulted clearly from the documents of the trials against Mindszenty and his accomplices and, recently, against Laszlo Rajk and his accomplices, that the persons convicted for their anti-democratic activity were guilty of a conspiracy aiming at the reverse of the present democratic régime, and to annihilate the liberties acquired by the people, and to establish a fascist régime of oppression, worse than any other previous régime of the kind. Accordingly, the Hungarian Government, far from infringing the Peace Treaty, acts explicitly in compliance with its stipulations when inflicting a blow upon the vile enemies of liberty and democracy, who have degenerated to espionage and murderous attempts. If the Governments of the United States and the United Kingdom accuse the Hungarian Government, this can have but one reason, i.e. the ruling circles of these countries are hostile to the independence and development of the people's democracies and, as it was proved by the afore-mentioned trials, support, in Hungary too, the most desperate enemies of democracy, directing them by their own network of spies, as well as by Tito and his clique, attached to their service.

As a matter of fact, the Hungarian Government has repeatedly stated that, precisely these Governments have on several occasions infringed the stipulations of the Peace Treaty relating to Hungary, when unlawfully denying the restitution of Hungarian property found in their respective zones of occupation, when refusing the extradition of the Hungarian war-criminals escaped into their territory, when supporting these war-criminals in their anti-democratic activity and when even rendering possible the organization and equipment of military formations of Hungarian fascists on the territory occupied by them.

Furthermore, the Hungarian Government states with astonishment that, in addition to the accusations already known and repeatedly refuted, the Government of the United States expresses the *opinion*—which is quite new and in no way compatible with the rules and spirit of international law—that, by assuming certain obligations through the signature of the Treaty of Peace, Hungary has become a State with limited sovereignty.

When signing the Peace Treaty, Hungary was not, nor is she at present, inclined to surrender her sovereignty,—on the contrary, she

will defend her independence and unhampered democratic development against any imperialist interference. The Hungarian Government considers the arbitrary interpretation of the Peace Treaty by the Government of the United States an attempt to claim a right to constantly interfere with Hungary's internal affairs, ignoring the independence of the Hungarian State.

The Hungarian Government categorically rejects, moreover, the wholly fictitious calumny of the Government of the United States, alleging that the present Hungarian régime be merely "the totalitarian rule of a minority". It is a notorious fact that at the general elections on the 15th of May of 1949 the Hungarian people manifested their will in the most democratic way—by general and secret ballot—and decided to support by 95.5 per cent of their votes the policy carried on by the present Hungarian Government. In view of this, the fact that the Government of the United States alleges in a diplomatic note the present Hungarian Government as being "the rule of a minority", cannot be regarded by the Hungarian Government but an evil-minded propagandistic manoeuvre, based upon the denial of true facts.

In consideration of the above said, the Hungarian Government rejects most categorically the note No. 592. of the Legation of the United States, as a new attempt of unlawful interference with the internal affairs of Hungary.

The Hungarian Ministry for Foreign Affairs avails itself of this opportunity, etc.

Annex 2

UNITED STATES NOTE TO BULGARIA

[Original text : English]

5 January, 1950.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Bulgaria and has the honour to refer to the Legation's note of August 1, 1949, asking the Bulgarian Government to join the United States Government in naming a Commission, in accordance with Article 36 of the Treaty of Peace, to settle the dispute which has arisen over the interpretation and execution of Article 2 of the Treaty. Reference is also made to the Ministry's note of September 1, 1949, and to the Legation's note of September 19, 1949, on the same subject.

The Legation has the honour to inform the Ministry that the United States Government has designated Mr. Edwin D. Dickinson as its representative on the proposed Commission. It is requested that the Bulgarian Government designate its representative forthwith and enter into consultation immediately with the United States Government through the American Minister in Sofia, with a view to the appointment of the third member of the Commission as stipulated in Article 36 of the Peace Treaty.

Annex 3

UNITED STATES NOTE TO HUNGARY

[Original text : English]

5 January, 1950.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and has the honour to refer to the Legation's note of August 1, 1949, asking the Hungarian Government to join the United States Government in naming a Commission, in accordance with Article 40 of the Treaty of Peace, to settle the dispute which has arisen over the interpretation and execution of Article 2 of the Treaty. Reference is also made to the Ministry's note of August 26, 1949, to the Legation's note of September 19, 1949, and the Ministry's note of October 27, 1949, on the same subject.

The Legation has the honour to inform the Ministry that the United States Government has designated Mr. Edwin D. Dickinson as its representative on the proposed Commission. It is requested that the Hungarian Government designate its representative forthwith and enter into consultation immediately with the United States Government through the American Minister in Budapest, with a view to the appointment of the third member of the Commission as stipulated in Article 40 of the Peace Treaty.

Annex 4

UNITED STATES NOTE TO RUMANIA

[Original text : English]

5 January, 1950.

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and has the honour to refer to the Legation's note of August 1, 1949, asking the Rumanian Government to join the United States Government in naming a Commission, in accordance with Article 38 of the Treaty of Peace, to settle the dispute which has arisen over the interpretation and execution of Article 3 of the Treaty. Reference is also made to the Ministry's note of September 2, 1949, and to the Legation's note of September 19, 1949, on the same subject.

The Legation has the honour to inform the Ministry that the United States Government has designated Mr. Edwin D. Dickinson as its representative on the proposed Commission. It is requested that the Rumanian Government designate its representative forthwith and enter into consultation immediately with the United States Government through the American Minister in Bucharest, with a view to the appointment of the third member of the Commission as stipulated in Article 38 of the Peace Treaty.

Second addendum to Folder 7¹LETTER FROM THE REPRESENTATIVE OF CANADA TO THE
SECRETARY-GENERAL OF THE UNITED NATIONS

17 February, 1950.

Sir,

I have the honour to refer to the note to you of 6 January, 1950, from the Permanent Delegate of Canada, transmitting to you copies of certain diplomatic correspondence exchanged between the Government of Canada on the one hand and the Governments of Hungary and Roumania on the other, relating to the execution of the human rights clauses of the Peace Treaties with these two countries. (Article 2 of the Treaty with Hungary, Article 3 of the Treaty with Roumania).

There is attached herewith the most recent note in this correspondence, addressed on 16 January, 1950, by the Government of Hungary to the British Legation at Budapest for transmission to the Government of Canada. May I request that you distribute copies of this note and of the present communication to all Members of the United Nations and to the International Court of Justice.

The Government of Canada has not yet received a reply to the note which was presented to the Roumanian Government by the United Kingdom Minister in Bucharest on behalf of the Canadian Government on 5 January, 1950. The Government of Canada will transmit to you a copy of the reply from the Roumanian Government when it has been received.

I have, etc.

(Signed) JOHN W. HOLMES,
Acting Permanent Delegate of Canada
to the United Nations.

Annex

HUNGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND

0560/1950.

The Hungarian Ministry for Foreign Affairs presents its compliments to the British Legation and by order of its Government has the honour to communicate as follows:

The Hungarian Ministry for Foreign Affairs received the British Legation's note No. 9 of January 5, 1950, by which the Government of Great Britain imparts, referring to the Legation's note No. 350 of August 1, 1949, that it designated Mr. F. Elwyn Jones as the representative of the British Government on the Commission proposed in the above-mentioned note and by which it requests the Hungarian Government to designate its representative to the same Commission

¹ Documents deposited in English only. [Note by the Registrar.]

of a Commission proposed with reference to Article 40 of the Peace Treaty and that consequently it does not take part in that Commission.

With reference to the British Legation's note No. 10 of January 5, 1950, communicating that the Canadian Government has appointed Mr. J. L. Ilsley as its representative to the Commission in question, the Hungarian Ministry for Foreign Affairs has the honour to request the British Legation to communicate what has been exposed above, as the standpoint of the Government of the Hungarian People's Republic in this affair, to the Canadian Government.

The Hungarian Ministry for Foreign Affairs avails itself of this opportunity, etc.

Budapest, 16 January, 1950.

LETTER FROM THE REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

S.G. No. 39 (L/51/50P).

17 February, 1950.

Sir,

I have the honour to refer to my notes of 19th September, 1949, and of 6th January, 1950, transmitting copies of certain diplomatic correspondence exchanged between His Majesty's Government in the United Kingdom on the one hand and the Governments of Bulgaria, Hungary and Roumania on the other, and relating to the question of the execution of the human rights clauses of the Peace Treaties with these three countries. Upon instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour now to transmit to Your Excellency, herewith, three copies of a note addressed on 16th January, 1950, by the Government of Hungary to His Majesty's Government in the United Kingdom and to request Your Excellency to make available copies of this note and of the present communication to all members of the United Nations and to the International Court of Justice.

2. The Government of Roumania have also sent a reply, dated 11th February, to His Majesty's Government's note of 6th January. A copy of this note from the Roumanian Government will be furnished to Your Excellency as soon as possible.

I have, etc.

(Signed) ALEXANDER CADOGAN.

Annex

HUNGARIAN "NOTE VERBALE" TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

(See above, pp. 115-117.)

failed to designate a member to it on their own behalf and that they desire to make good this omission at present, that is a few months later. This did not hamper, however, the Governments of the United States and of Great Britain in addressing meanwhile the United Nations Organization in the same affair and in stating their point of view favouring the United Nations Organization putting questions in this regard to the International Court of Justice. All this they did with the motivation that all steps provided under the Peace Treaty had been taken and that these steps had been fruitless, as Mr. Alexander Cadogan, representative of Great Britain to the United Nations emphasized it in his letter of September 19, 1949, addressed to the Secretary-General of the United Nations Organization.

This present overdue step of the Governments of the United States and of Great Britain clearly proves that the above motivation does not correspond to the facts and that the Governments of the United States and of Great Britain bewildered the United Nations Organization by addressing it and through it the International Court of Justice with an unfounded motivation. By this there ensued this strange situation that the Governments of the United States and of Great Britain when employing the machinery of the United Nations General Assembly and asking through it for the opinion of the International Court of Justice, whether Hungary is obliged to appoint a member to the Commission in question at all—they call at the same time upon Hungary for the appointment of this member.

The Hungarian Government wishes to state, regardless of the juridically untenable character of the standpoint of the Governments of the United States and of Great Britain, that with their last step they themselves gave a proof beyond doubt that the campaign they launched against Hungary under the pretext of the offence to "human rights" and of the violation of the Peace Treaty is good only for propagandistic aims. The fact that they forgot themselves to designate their members to the Commission which they proposed to the Hungarian Government on August 1, 1949, shows clearly that they did not take for serious the juridical part of the question.

As far as the merit of their action is concerned, the Government of the Hungarian People's Republic has informed the Government of the United States of its standpoint taken in this affair several times already in its precedent notes addressed to the Legation of the United States in Budapest. The Hungarian Government states once more that it does not see the existence of any "dispute" concerning the interpretation and the execution of the Peace Treaty, as it always has fulfilled and fulfils at present most strictly its obligations under the Peace Treaty and that the charges put forward against Hungary concerning the offence to "human rights" and the violation of the Peace Treaty are but a pretext for the United States Government to interfere with the interior affairs of the Hungarian People's Republic.

In view of what has been said the Hungarian Government repeatedly declares that it considers unfounded and unnecessary the formation of a Commission proposed with reference to Article 40 of the Peace Treaty and that consequently it does not take part in that Commission.

espionage and who sought to convert Rumania into a new focal point of war at the orders of the Anglo-American imperialist circles.

It is likewise known that the United States Government has described as a dispute with the Rumanian People's Republic the very fact that the Rumanian Government, by applying the laws of this country, has taken steps against these groups, thus fulfilling its international obligations as provided for in the Peace Treaty.

The Rumanian Government considers that the latest *démarche* of the United States Government, like the previous *démarches* and appeals to international organs which are just as lacking in jurisdiction as the United States Government to interfere in the internal affairs of the Rumanian People's Republic, has the very object to hide from public opinion the policy of the Anglo-American imperialist circles of supporting remnants of Rumanian fascists and reaction and of gross violation of the rights of peoples. The Rumanian government is convinced that diversionary attempts cannot deceive the public opinion of peoples who everywhere are fighting for national independence and sovereignty against imperialistic oppression and racial discrimination, for respect for fundamental human rights and peace, and against warmongers.

LETTER FROM THE REPRESENTATIVE OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO
THE SECRETARY-GENERAL OF THE UNITED NATIONS

UNITED KINGDOM DELEGATION TO THE
UNITED NATIONS, NEW YORK.

No. 42. (1/54/50P.)

February 20th, 1950.

Sir,

With reference to my note of 17th February concerning certain correspondence on the subject of the human rights clauses of the Peace Treaties with Hungary, Roumania and Bulgaria, I have the honour to transmit to your Excellency, herewith, a copy of the original together with two copies of an informal translation, of the note addressed to His Majesty's Government in the United Kingdom by the Roumanian Government on 10th February. Upon instructions from His Majesty's Principal Secretary of State for Foreign Affairs I have the honour to request that a copy of the enclosed note and of the present communication be made available to the International Court of Justice and that copies of the translation of the note and of the present communication be made available to all members of the United Nations.

I have, etc.

(Signed) ALEXANDER CADOGAN.

action against these gangs, thus fulfilling its international obligations envisaged in the Treaty of Peace.

Like the previous ones, the last *démarche* of the British Government, as also its appeals to an international body as incompetent as the British Government to interfere in the internal affairs of the Roumanian People's Republic, has in the opinion of the Roumanian Government the object of hiding from public opinion the policy executed by Anglo-American imperialist circles in support of the fascist and reactionary remnants in Roumania and in crude violation of the peoples' rights.

The Roumanian Government is convinced that these manoeuvres cannot deceive the public opinion of those peoples who are fighting everywhere for independence and national sovereignty, against imperialist domination and racial discrimination, for the respect of the fundamental rights of man, for peace and against warmongers.

10th February, 1950.

Third Addendum to Folder 7**LETTER FROM THE REPRESENTATIVE OF CANADA
TO THE SECRETARY-GENERAL**

CANADIAN DELEGATION
TO THE UNITED NATIONS

No. 15.

New York, 29 April, 1950.

Sir,

I have the honour to refer to my note No. 7 of 17 February, 1950, to the Secretary-General, and to the note of 6 January, 1950, from the Permanent Delegate of Canada to the Secretary-General, transmitting copies of certain diplomatic correspondence exchanged between the Government of Canada on the one hand, and the Governments of Hungary and Roumania on the other, relating to the execution of the Human Right clauses of the Peace Treaties with these two countries.

There are enclosed herewith copies of the two most recent communications in this correspondence from the Government of Canada to the Governments of Hungary and Roumania, presented on 27 April, 1950.

May I request that you make available copies of these communications and of the present note to all Members of the United Nations and to the International Court of Justice.

I have, etc.

(Signed) H. H. CARTER.

(For John W. HOLMES,
Acting Permanent Delegate of Canada
to the United Nations.)

Annexes

TEXT OF NOTE PRESENTED TO THE GOVERNMENT OF HUNGARY ON 27 APRIL, 1950, BY THE UNITED KINGDOM MINISTER IN BUDAPEST, ON BEHALF OF THE CANADIAN GOVERNMENT

His Majesty's Legation present their compliments to the Ministry of Foreign Affairs of Hungary and have the honour, on behalf of the Government of Canada, to direct the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Roumania which was given by the International Court of Justice on March 30, 1950.

2. In the light of this opinion, it is assumed that the Hungarian Government will now nominate its representative to the Peace Treaty Commission and will inform the Secretary-General of the United Nations

of the nomination in accordance with the United Nations General Assembly Resolution of October 22, 1949. It is further assumed that the Hungarian Government will also be willing to enter into consultation with the Canadian Government with a view to the appointment of a third member in accordance with Article 40 of the Treaty of Peace.

3. As His Majesty's Legation informed the Ministry for Foreign Affairs in their note of January 5, 1950, on behalf of the Government of Canada, the Canadian Government has appointed the Right Honourable Justice J. L. Ilsley, P.C., as its representative on the proposed Commission.

TEXT OF NOTE PRESENTED TO THE GOVERNMENT OF ROUMANIA ON 27 APRIL, 1950, BY THE UNITED KINGDOM MINISTER IN BUCHAREST, ON BEHALF OF THE CANADIAN GOVERNMENT

His Majesty's Legation present their compliments to the Ministry of Foreign Affairs of Roumania and have the honour, on behalf of the Government of Canada, to direct the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Roumania which was given by the International Court of Justice on March 30, 1950.

2. In the light of this opinion, it is assumed that the Roumanian Government will now nominate its representative to the Peace Treaty Commission and will inform the Secretary-General of the United Nations of the nomination in accordance with the United Nations General Assembly Resolution of October 22, 1949. It is further assumed that the Roumanian Government will also be willing to enter into consultation with the Canadian Government with a view to the appointment of a third member in accordance with Article 38 of the Treaty of Peace.

3. As His Majesty's Legation informed the Ministry for Foreign Affairs in their note of January 5, 1950, on behalf of the Government of Canada, the Canadian Government has appointed the Right Honourable Justice J. L. Ilsley, P.C., as its representative on the proposed Commission.

LETTER FROM THE REPRESENTATIVE OF THE UNITED KINGDOM TO THE SECRETARY-GENERAL

UNITED KINGDOM DELEGATION
TO THE UNITED NATIONS

No. 151 (1/78/50P).

New York, 28 April, 1950.

Sir,

I have the honour to refer to my note No. 42 of February 20th concerning correspondence on the subject of the Human Rights clauses

of the Peace Treaties with Hungary, Roumania and Bulgaria, and to transmit herewith copies of three notes which were addressed, on April 26th, to the Governments of Hungary, Roumania and Bulgaria by His Majesty's Legations in those three countries in accordance with instructions from His Majesty's Government in the United Kingdom.

2. I have the honour to request Your Excellency, upon instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to transmit copies of the enclosed notes, and of the present communication, to the International Court of Justice and to all Members of the United Nations, in connexion with the General Assembly's Resolution of 22nd October 1949 (A/1043).

I have, etc.

(Signed) TERENCE SHONE.
(For Sir ALEXANDER CADOGAN.)

Annexes

NOTE FROM HIS MAJESTY'S LEGATION IN BULGARIA
TO THE BULGARIAN GOVERNMENT

His Britannic Majesty's Legation present their compliments to the Bulgarian Ministry for Foreign Affairs and have the honour to draw the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Roumania which was given by the International Court of Justice on 30th March, 1950.

In the light of this opinion, His Majesty's Government in the United Kingdom assumed that the Bulgarian Government will now nominate their representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of their nomination in accordance with the United Nations General Assembly's Resolution of 22nd October, 1949. They further assume that the Bulgarian Government will be willing to enter into consultation with His Majesty's Government in the United Kingdom with a view to the appointment of a third member of the Commission in accordance with Article 36 of the Peace Treaty.

As His Britannic Majesty's Legation informed the Bulgarian Ministry for Foreign Affairs in their note No. 5 of 5th January, 1950, His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission.

His Britannic Majesty's Legation take this opportunity, etc.

26th April, 1950.

NOTE FROM HIS MAJESTY'S LEGATION IN ROUMANIA
TO THE ROUMANIAN GOVERNMENT

His Britannic Majesty's Legation present their compliments to the Roumanian Ministry for Foreign Affairs and have the honour to draw

the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Roumania which was given by the International Court of Justice on 30th March, 1950.

In the light of this opinion, His Majesty's Government in the United Kingdom assumed that the Roumanian Government will now nominate their representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of their nomination in accordance with the United Nations General Assembly's Resolution of 22nd October, 1949. They further assume that the Roumanian Government will be willing to enter into consultation with His Majesty's Government in the United Kingdom with a view to the appointment of a third member of the Commission in accordance with Article 38 of the Peace Treaty.

As His Britannic Majesty's Legation informed the Roumanian Ministry for Foreign Affairs in their note No. 1 of 5th January, 1950, His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission.

His Britannic Majesty's Legation take this opportunity, etc.

26th April, 1950.

NOTE FROM HIS MAJESTY'S LEGATION IN HUNGARY
TO THE HUNGARIAN GOVERNMENT

His Britannic Majesty's Legation present their compliments to the Hungarian Ministry for Foreign Affairs and have the honour to draw the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Roumania which was given by the International Court of Justice on 30th March, 1950.

In the light of this opinion, His Majesty's Government in the United Kingdom assumed that the Hungarian Government will now nominate their representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of their nomination in accordance with the United Nations General Assembly's Resolution of 22nd October, 1949. They further assume that the Hungarian Government will be willing to enter into consultation with His Majesty's Government in the United Kingdom with a view to the appointment of a third member of the Commission in accordance with Article 40 of the Peace Treaty.

As His Britannic Majesty's Legation informed the Hungarian Ministry for Foreign Affairs in their note No. 9 of 5th January, 1950, His Majesty's Government in the United Kingdom have appointed Mr. F. Elwyn Jones, K.C., M.P., as their representative on the proposed Commission.

His Britannic Majesty's Legation take this opportunity, etc.

26th April, 1950.

LETTER FROM THE REPRESENTATIVE OF THE U.S.A.
TO THE SECRETARY-GENERALUNITED STATES MISSION
TO THE UNITED NATIONS

April 28, 1950.

Excellency :

I have the honor to refer to my notes UN-2748 of September 20, 1949, UN-2748/C of January 6, 1950, and to the note of the Acting Representative of the United States to the United Nations UN-2748/H of February 17, 1950, transmitting to you copies of certain diplomatic correspondence exchanged between the Government of the United States on the one hand, and the Governments of Bulgaria, Hungary and Rumania on the other, relating to the execution of the Human Rights clauses of the Peace Treaties with these three countries.

There are enclosed herewith copies of the three most recent communications in this correspondence addressed by the Government of the United States to the Governments of Bulgaria, Hungary and Rumania on 26 April, 1950.

May I request that you make available copies of these communications and of the present letter to all Members of the United Nations and to the International Court of Justice.

Accept, Excellency, etc.

(Signed) WARREN R. AUSTIN.

Enclosures :

Annex 1.—Communication of 26 April, 1950, from the U.S. to Bulgaria.

Annex 2.—U.S. note of 26 April, 1950, to Hungary.

Annex 3.—U.S. note of 26 April, 1950, to Rumania.

*Annex 1*COMMUNICATION FROM THE UNITED STATES TO BULGARIA
(26 April, 1950)

[Original text: English]

The Government of the United States draws the attention of the Government of Bulgaria to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Rumania which was given by the International Court of Justice on March 30, 1950.

In the light of this opinion, it is assumed that the Bulgarian Government will now nominate its representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of the nomination in accordance with the United Nations General Assembly Resolution of October 22, 1949. It is further assumed that the Bulgarian Government will also be willing to make proposals for the appointment of a third member as envisaged by Article 36 of the Treaty of Peace.

As the United States Legation in Sofia informed the Ministry of Foreign Affairs of Bulgaria in its note of January 5, 1950, the United States Government has appointed Mr. Edwin D. Dickinson as its representative on the proposed Commission.

Annex 2

UNITED STATES NOTE TO HUNGARY

(26 April, 1950)

[Original text : English]

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Hungary and has the honor to direct the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Rumania which was given by the International Court of Justice on March 30, 1950.

In the light of this opinion, it is assumed that the Hungarian Government will now nominate its representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of the nomination in accordance with the United Nations General Assembly Resolution of October 22, 1949. It is further assumed that the Hungarian Government will also be willing to enter into consultation with the United States Government with a view to the appointment of a third member in accordance with Article 40 of the Treaty of Peace.

As the United States Legation informed the Ministry of Foreign Affairs in its note of January 5, 1950, the United States Government has appointed Mr. Edwin D. Dickinson as its representative on the proposed Commission.

Annex 3

UNITED STATES NOTE TO RUMANIA

(26 April, 1950)

[Original text : English]

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs of Rumania and has the honor to direct the Ministry's attention to the advisory opinion on the interpretation of the Peace Treaties with Bulgaria, Hungary and Rumania which was given by the International Court of Justice on March 30, 1950.

In the light of this opinion, it is assumed that the Rumanian Government will now nominate its representative on the Peace Treaty Commission and will inform the Secretary-General of the United Nations of the nomination in accordance with the United Nations General Assembly Resolution of October 22, 1949. It is further assumed that the Rumanian Government will be willing to enter into consultation with the United States Government with a view to the appointment of a third member in accordance with Article 38 of the Treaty of Peace.

As the United States Legation informed the Ministry of Foreign Affairs in its note of January 5, 1950, the United States Government has appointed Mr. Edwin D. Dickinson as its representative on the proposed Commission.
