

SECURITY
COUNCILCONSEIL
DE SECURITES/133
21 August 1946

ORIGINAL: ENGLISH

REPORT OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERSI ORGANIZATION AND FUNCTION OF THE COMMITTEE

A. Terms of reference - The terms of reference of the Committee are to be found in the Charter of the United Nations, the rules of Procedure of the Security Council and two resolutions of the Security Council. These are as follows:

(1) Article 4 of the Charter:

"Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter, and in the judgment of the Organization, are able and willing to carry out these obligations.

"The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council."

(2) Chapter X of the Rules of Procedure:

"Rule 58: Any state which desires to become a member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

"Rule 59: The Secretary-General shall immediately place the application for membership before the Representatives on the Security Council. Unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall be represented. The committee shall examine any application referred to it and report its conclusions thereon to the Council not less than thirty-five days in advance of a regular session of the General Assembly or if a special session of the General Assembly is called, not less than fourteen days in advance of such session.

"Rule 60: The Security Council shall decide whether in its judgment the applicant is a peace-loving state and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant state for Membership.

"In order to assure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendations not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.

"In special circumstances, the Security Council may decide to make a recommendation to the General Assembly concerning the application for membership subsequent to the expiration of the time limit set forth in the preceding paragraph.

(C) Resolution of the Security Council:

"On 17 May 1946, the Security Council at its forty-second meeting resolved that:

"(1) Applications for membership which have been or may be received by the Secretary-General shall be considered by the Security Council at a meeting or meetings to be held in August 1946 for this specific purpose.

"(2) Applications for membership which have been or may be received by the Secretary-General before 15 July 1946, shall be referred to a committee composed of a representative of each of the members of the Security Council for consideration and report to the Council not later than August 1, 1946."

(4) Amendment to the above Resolution:

"At the fifty-first meeting on 24 July 1946, the Council resolved to modify the date mentioned in the above resolution by as many days later as the interval between the day on which the General Assembly was originally to be convened and the day on which it actually will be convened."

B. Constitution of the Committee and attendance.

The Committee consisted of a representative from each member of the Security Council. Each delegation was represented at every meeting.

C. Chairmanship.

The Committee adopted the system of rotating chairmanship in conformity with Security Council procedure. Consequently, the delegate of the Netherlands acted as Chairman through 16 August and was succeeded by the delegate of Poland.

D. Number of meetings.

The Committee was convened on 31 July 1946 and held its fourteenth and last meeting on 20 August 1946.

II PROCEDURE

A. Applications received.

Applications for membership were received by the Secretariat in the following order:

1. People's Republic of Albania, 25 January 1946
2. Mongolian Peoples' Republic, 24 June 1946
3. Afghanistan, 2 July 1946
4. The Hashemite Kingdom of Trans-Jordan, 2 July 1946
5. Ireland, 2 August 1946
6. Portugal, 2 August 1946
7. Republic of Iceland, 2 August 1946
8. Siam, 5 August 1946
9. Sweden, 9 August 1946.

B. Chronological order of the discussion.

The Committee adopted the chronological order in which the applications had been received by the Secretariat as the order for their discussion, but the discussion of any application was not closed until the final report of the Committee was approved.

C. Principles

In view of the terms of reference of the Committee, Article 4 of the Charter, and paragraphs 58-60 of the Rules of Procedure, it was decided that the Committee should examine the applications submitted to it in the light of the requirements of the Charter; i.e., (1) the applicant state must be peace-loving; (2) the applicant state must formally accept the obligations of the Charter; (3) the applicant state must be able and willing to carry out the obligations of the Charter in the judgment of the Organization.

Two resolutions were proposed and adopted regarding the acceptability of statements concerning applications made by Member States and the procedure to be followed in collecting further information on applications, if required. The texts of these resolutions are as follows:

1. "The Committee will consider written statement of facts from any of the applicant states or from any Member of the United Nations bearing on the applications which the Committee has been instructed to examine."
2. "The Committee considers that it has the right to ask information from Governments of Member states or applicants having bearing upon the application before the Committee."

The Security Council confirmed the validity of these resolutions during its meeting of 7 August 1946.

The Committee decided to request the Secretary-General to send telegrams to the Governments of applicant states requesting that they appoint representatives in New York, in order to facilitate the procedure of obtaining additional information if required. It was decided that the conclusions of the Committee after examination of the applications and after requesting further information where necessary, should establish whether or not sufficient information had been placed before the Committee to form a basis for decision by the members of the Security Council. In addition, the report should include a statement of the formal attitudes of various delegations regarding the desirability of admission of applicant states.

The Soviet Delegate declared that he considered the applications of the Albanian and Mongolian People's Republics received different treatment by the majority of the Committee in spite of the fact that there was more detail and full information in the Committee about both these countries than about other applicant States.

This opinion was not shared by the Delegates of Australia, Brazil, China, Egypt, France, Mexico, Netherlands, U.K., and U.S.A. They expressed their opinion that questions were directed to all applicant States to which any representative suggested they be directed. They expressed the opinion that full opportunity existed for any representative to suggest that questions be directed to any applicant.

D. Publicity

In accordance with a resolution adopted at the first meeting, the meetings of this Committee were closed. After each meeting, a communique drawn up by the Chairman of the Committee and the Secretariat was released to the press.

E. Report

On 14 August the Committee decided to entrust the delegate of the Netherlands, Mr. Fock, and the delegate of Poland, Mr. Michalowski, with the task of drawing up a report. This report was examined by the full

Committee on 19 and 20 August and finally approved on 20 August 1946, subject to the reservation by the Australian Government which is set out in Annex No. 1, and to the statement of the Mexican delegate as reproduced in Annex No. 2.

III EXAMINATION OF APPLICATIONS

The following section of the report contains a description of the discussion and the conclusions reached in the case of every application examined by the Committee. The applications are listed in the chronological order in which they were received by the Secretariat and considered by the Committee.

People's Republic of Albania

(1) The application of the People's Republic of Albania was submitted to the Security Council on 25 January 1946 (Security Council Journal No. 3, p. 27). With reference to this application, letters were received from the Greek Government and the Yugoslav Government (Documents S/8 and S/9). In order to facilitate the work of the Committee, the Secretariat prepared a working paper containing some basic facts on the People's Republic of Albania.

(2) The following is a summary of the discussion on the application, representing the views of various delegations concerning the application of the People's Republic of Albania.

Statement of the U.S.S.R. (Annex No. 3)

The delegate of the U.S.S.R., in supporting the application of Albania, praised the contribution of the Albanian people to the struggle against the Italian and German fascist aggressors. He cited a series of exploits that illustrated the heroic resistance of the Albanian patriots against Italian domination. He recounted the failures of successive Quisling governments and the annexation of Albania by Italy. It was his opinion that the Albanian people and the present republican government could not be blamed for the declaration of war on Greece in 1940, which was made by the Italian Government and the Quisling Government of Albania.

The statement of the delegate of the U.S.S.R. described the underground movement which began as a result of this declaration of war. As proof of the non-collaboration of the Albanian people with the Italian occupation authorities, the delegate of the U.S.S.R. cited a letter addressed by Mussolini to Hitler, in which the Duce attributed his reverses in the war against Greece to the "treason of almost all the Albanian forces". In addition, the People's Republic of Albania had prosecuted and severely punished the Albanian quisling. In conclusion, the delegate of the U.S.S.R. stated that the People's Republic of Albania possessed all the capacities of a stable, independent, and democratic State and was able and willing to carry out the obligations of the Charter.

Statement of the Delegate of the United Kingdom (Annex No. 4)

While affirming that there was no ill-will on the part of the United Kingdom Government towards the Albanian people, the delegate of the United Kingdom explained that a series of incidents had given rise to doubts on the part of his Government, which did not have diplomatic relations with the Albanian Government, as to whether the latter was peace-loving and able and willing to carry out the obligations of the Charter.

These incidents, described in his statement, consist of: the difficulties encountered by the British Military Mission and the War Graves Mission in carrying out their work in Albania, the refusal of a visa for a British officer on the staff of the British Minister Designate, the firing on two British warships by Albanian coastal batteries on 15 May 1946 while passing through the Straits of Corfu.

The delegate of the United Kingdom also referred to incidents on the Albano-Greek frontier and to the territorial dispute between Greece and Albania. In addition, he requested information on the political parties.

Statement of the Delegate of the United States (Annex No. 5)

While admiring the resistance of the Albanian people to the Axis aggressors during the war, the Government of the United States, which did not have diplomatic relations with the Albanian Government, was concerned over the willingness of the latter to carry out the obligations of the Charter because of the experiences it had had with the present regime with respect to treaty obligations.

According to the statement of the delegate of the United States, the Albanian authorities had expressly and in principle called into question the whole range of treaties with the United States including multilateral treaties to which many States were parties.

The delegate of the United States requested supplementary information on the peace-loving characteristics of the regime and on the Albanian political parties. He declared that his Government had an open mind on the application of Albania but reserved his position during the discussion of the question.

Statement of the Polish Delegate

The Polish delegate supported the Albanian application. He emphasized that the Albanian people should not be held responsible for a government imposed upon them by a fascist power. He did not consider that the incidents that had occurred between the People's Republic of Albania and Members of the United Nations were a sufficient reason to place serious obstacles in the way of the admission of Albania to the United Nations.

Statement of the Australian Delegate

The Australian delegate drew attention to the unusual method of transmission of the Albanian application through a third party, the lack of date on the application, and the uncertainty concerning the constitutional situation in Albania. He also asked for further information on the Albanian political parties and on the elections of 2 December 1945. In this regard, he asked if the request of the United States and the United Kingdom for assurances on the free character of these elections had been satisfied.

The delegate of the United States replied that the Albanian Government had given assurances that were acceptable to the Government of the United States.

The delegate of Egypt stated that he would consider the application of Albania with an open mind.

Memorandum of the Greek Government

The representative of Greece to the United Nations sent to the Acting Secretary General a Memorandum, dated 5 August 1946, regarding the admission of Albania to the United Nations. This document was reproduced and distributed under the number S/123.

This Memorandum reproached the Albanians with having joined forces with the Italians and fought with fanaticism with them against Greece, with having committed atrocities on the civilian population of the Greek territory; and with having persecuted hundreds of Greeks deported to concentration camps in Northern Albania.

The Greek Memorandum stated that the pro-allied underground movement in Albania began only in 1943 and was aimed primarily at the extermination of the Greek population within the Albanian border. It also stated that the

state of war existing between Albania and Greece would cease only after the territorial dispute between the two countries had been settled. The policy of the regime at present in power in Albania, the Memorandum stated, was a blunt denial of the most elementary principles of justice and democracy. The admission of Albania to the United Nations would create a situation for Greece which would force her to consider Albania, with whom she was still in a state of war, as a friendly nation without the transitional period necessary for the settlement of the questions pending between the two countries. The Greek Government therefore opposed the admission of Albania, whom she did not consider a peace-loving nation nor as offering guarantees to carry out her undertakings under the Charter, as long as no settlement had been worked out between the two countries.

An annex to this Memorandum described a series of incidents reported to have occurred on the Greek-Albanian border.

The Greek Memorandum was discussed by the Committee. The delegate of the Netherlands expressed the opinion that a great number of points brought out in this Memorandum were beyond the terms of reference of the Committee. The delegate of the U.S.S.R. undertook to refute the Memorandum. Quoting passages from his previous statement, he repeated that the declaration of war by Albania on Greece was made by a decree of the King of Italy and published by a Quisling government, and he reiterated that the Albanian forces, far from fighting with fanaticism against Greece, had revolted against the Italian authorities. Moreover, he declared, the underground movement in Albania began not in 1940 as the Greek Memorandum stated but in 1939. To substantiate this statement, he cited a series of facts which are contained in Annex No. 6. He criticized the attitude of the Greek Government, as expressed in its Memorandum, that it could not agree to support the Albanian application as long as its (Greece's) territorial claims had not been satisfied. It was the opinion of the delegate of the U.S.S.R. that no Member of the United Nations had the right to place such a condition in the way of admission to the Organization.

The French delegate expressed the belief that the delegate of the

U.S.S.R. had proved not only Albania's desire to fight but her active participation with all the means in her possession in the struggle against fascism. He emphasized French sympathy with Albania's application because his own government was made up of resistance leaders. He agreed with the delegate of the U.S.S.R. that territorial disputes were not within the Committee's competence. Besides, the Memorandum mentioned that the Greek Government was preparing to place the territorial claim on Northern Epirus before the Paris Peace Conference. It would be awkward for this Committee to reach one decision and the Conference another. Like the delegate of the United Kingdom, he considered that the main principle involved in this territorial dispute, or in any other dispute that might arise, was whether Albania was willing to settle the controversy by pacific means and demonstrate a desire to fulfill the Charter obligations. The delegate of Mexico expressed his agreement with this point of view regarding territorial disputes.

The Polish delegate felt that the present attitude of Albania on the territorial dispute had been exaggerated since her original application's declaration of willingness to undertake the Charter obligations carried automatic acceptance of the principle of peaceful settlement of territorial disputes.

The delegate of the United Kingdom expressed a desire to obtain information regarding the recent incidents on the Greek-Albanian border.

Appointment of sub-committee

The Committee decided to present a questionnaire to the Albanian representative in New York to obtain additional information on various points as requested by several of the delegates. In the course of discussion, the delegate of the U.S.S.R. opposed the creation of the sub-committee and expressed the opinion that the Committee should not concern itself with the internal affairs of Albania but should only try to have assurance regarding the non-fascist character of its regime. The delegate of the United Kingdom agreed with this to the extent that the Committee must not indicate that the United Nations believed that a particular type of internal political regime

was a prerequisite for membership in the United Nations. The Australian Delegate said that it might be important to know if an applicant State had the necessary stability to carry out the obligations of the Charter.

A sub-committee, composed of the delegates of Australia, Egypt, and Poland, was appointed to draft a questionnaire to be presented to the Albanian representative. It was decided that this draft would be examined by the full Committee before it was approved.

Presentation of questionnaire to Albanian Representative

After having examined and modified the draft questionnaire drawn up by the sub-committee, the Committee agreed upon a list of questions, which was submitted to the Albanian representative in New York on 9 August 1946 (Annex No. 7).

Yugoslav Memorandum

The representative of Yugoslavia to the United Nations sent the Acting Secretary General a Memorandum, dated 10 August 1946, referring to the application of Albania for admission to the United Nations. This document was reproduced and distributed under the number S/127.

In its Memorandum, the Yugoslav Government stressed the importance of the resistance movement of the Albanian patriots against the Italian aggression and the Albanian quislings. It described the formation of the Albanian Republic and underlined the peace-loving and democratic character of its regime, as well as the good relations that existed between the two neighboring nations. It felt that no justifiable doubt could be raised regarding the ability and willingness of Albania to carry out the obligations of the Charter. Consequently, it declared, Albania was worthy to become a Member of the United Nations.

The delegate of the U.S.S.R. stressed the fact that the Yugoslav Memorandum brought out that not a single incident had occurred on the border between Yugoslavia and Albania. He regarded this as proof that Albania was a peace-loving nation.

Reply from the Representative of the People's Republic of Albania

The Albanian representative at New York sent, under date of 14 August

1946, to the chairman of the Committee a reply to the questionnaire which had been presented to him on 9 August 1946 (Annex No. 7).

With regard to the reply to Question 1, the Australian delegate remarked that there existed a contradiction between the affirmation that there was no state of war between Albania and Greece and the reference to Article XXV of the draft treaty of peace with Italy which was intended to render null and void all acts of the authorities in Albania installed by Italy from 7 April 1939 to September 1945. The very fact that the Council of Foreign Ministers felt it necessary to include this Article was prima facie evidence that it considered authorities in Albania during that period had performed acts which were valid and now required annulment. In the opinion of the Polish delegate, the state of war between Albania and Greece, if it had ever existed, became null and void when the Albanian people reestablished Albania as a sovereign State and annulled the declaration of war. The delegate of the U.S.S.R. considered that the replies of Albania to Questions 1 and 2 were completely satisfactory.

There were no comments on the answer to Question 3, and the chairman again observed that the answer was a satisfactory basis of information for the Security Council.

The replies to Questions 4 and 5 relative to the termination and validity of the treaties existing between Albania and other States prior to 7 April 1939 gave rise to a lengthy discussion. The delegate of the Netherlands reserved his position on the abrogation of those treaties. The delegate of the U.S.S.R. considered the answers to Questions 4 and 5 completely satisfactory. He felt that the question of treaties was completely a matter of internal affairs. He said also that the reexamination of treaties signed by Albania was a matter of mutual understanding between Albania and the other States concerned, having no connection with the admission of Albania to the United Nations. The delegate of the United States was opposed to this manner of thinking and declared that, in the opinion of his Government, no act of State could be of a mere international character. The French delegate also declared that he could not consider treaties as a purely internal affair, and

he expressed regret that the reply of the Albanian representative to Questions 4 and 5 was vague. While understanding the point of view of the delegate of the United States regarding treaties, the Egyptian delegate thought that the Committee should consider the matter of treaties only as far as it affects the fitness of Albania for membership. He and the delegate of the United Kingdom reserved the position of their respective Governments. With regard to the interpretation of treaties, the Polish delegate thought that it was a matter for the two parties involved to settle. The Australian delegate said he understood the Albanian answers to mean that Albania was claiming the right to select which treaties it would recognize.

With regard to the firing on British ships, to which reference was made in Question 6, the delegate of the United Kingdom made a series of remarks on the Albanian reply which are described in Annex No. 8. The United Kingdom Government's doubts as regards Albania concerned ^{the question of} whether or not Albania had a normal conception of her duties in international relations. The delegate of the U.S.S.R. expressed the opinion that Albania had certainly no intention of provoking a state of war with Great Britain. The Australian delegate felt that, in this matter, the Committee had to elucidate whether or not Albania had acted in accordance with international custom in order to ascertain if she was able and willing to carry out the obligations of the Charter.

Second Greek Memorandum

The Greek representative to the United Nations on 15 August 1946 sent a second Memorandum dealing with the application of Albania to the Secretary General (Document S/131).

This Memorandum was not discussed by the Committee but, with reference to it, the delegate of the U.S.S.R. wished to give further documentation on the war effort of the Albanian people. The text of his statement is contained in Annex No. 9. This statement included a quotation from the diary of Marshal Badoglio in which he wrote that the Albanian troops which fought in the ranks of Italian divisions either proved to be unreliable and performed acts of sabotage or deserted to the Greeks. It was necessary to remove Albanian

troops and to disarm them partially. The delegate of the U.S.S.R. also cited the praise of Allied statesmen and military leaders for the great contribution given to the cause of the Allies by the Albanian army of liberation.

Albanian Memorandum (Annex No. 10)

The Albanian representative sent to the Chairman of the Committee on 20 August 1945 a Memorandum in reply to the Greek Memorandum of 5 August 1946. This document was received by the Committee at its last meeting on 20 August and, because of the lack of time, the Committee was not able to discuss it.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of Delegations: The delegates of the U.S.S.R. and Poland supported the application, and the delegate of France expressed his sympathy with the Albanian application.

The United States reserved its position because of doubts of Albania's desire to respect international obligations and her ability and willingness to carry out the obligations of the Charter.

MONGOLIAN PEOPLE'S REPUBLIC

(1) The application of the Mongolian People's Republic was submitted to the Secretary-General in a telegram from the Prime Minister and Minister of Foreign Affairs dated 24 June 1946. (See Document 3/35)

In order to facilitate the work of the Committee, the Secretariat prepared a working paper containing some basic facts on the Mongolian People's Republic.

(2) The following is a summary of the discussion on the application of the Mongolian People's Republic representing the views of various delegations:

A. The delegate of China, in opening the discussion, declared that while his country desired the entry of the Mongolian People's Republic into the United Nations, it was the feeling of his delegation that a delay in the consideration of this application for a year or so might be advisable. Until now, he went on, the Mongolian People's Republic had exchanged diplomatic representatives with the U.S.S.R. only, and an agreement with his country was reached on exchanging envoys. The lack of diplomatic and consular relations with other countries might be an indication that the Mongolian People's Republic was not yet ready to take her place as a member of the world community, and in order to be sure that she was able to carry out the obligations imposed by the Charter, the Members of the United Nations should be given an opportunity to know her more intimately. He added that this lack of contact with other countries could not be explained solely by that country's geographic remoteness, in view of the fact that for many years before 1921 commercial relations had existed between that country and the U.S.S.R., China and other nations. In explaining further his delegation's position, the Chinese Delegate stated that he did not insist that the Mongolian People's Republic, being a small country, must maintain diplomatic and commercial relations with all nations, but wished to note that this state of affairs produced a regrettable lack of information about the country. In his final remarks he added that China, being the country which had granted the Mongolian People's Republic her independence, would be glad to give full support to the application of the Mongolian People's Republic for admission when the proper time came.

The delegate of U.S.S.R. stated that the Mongolian People's Republic, a very young, independent and democratic country, although only 25 years old, made a great contribution in the common struggle of the democracies against Fascist aggression and the Axis powers. Since 1931 the Mongolian People's Republic had resisted the Japanese aggression and had inflicted heavy losses on Japan. She had materially helped the U.S.S.R. in her struggle against Germany and, having declared war on Japan, took an active part in the Manchurian campaign.

The Republic organized a Tank Brigade and Aviation Brigade that fought against Germany in the West. In the East some 30,000 soldiers and officers of her army participated in the war against Japan, advancing on a front of 1,000 kilometers and freeing several Manchurian cities and districts. The material losses of the army alone amounted to \$30,000,000.

In a plebiscite held at the end of 1945, nearly all of almost one-half million voters voted for independence, and an official Chinese Government observer declared his complete satisfaction with the democratic methods of the plebiscite.

He stressed also that the Mongolian People's Republic had a stable, democratic regime which was willing and able to carry out all obligations under the Charter and that his Government fully supported the application. (For the full statement of the delegate of U.S.S.R., see Annex No. 11.)

The delegates of Poland supported the application of the Mongolian People's Republic and expressed his surprise at China's reservation and recommendation that consideration of her application be postponed. In his opinion recognition was not an essential criterion for admission. It was also his feeling that by admitting the Mongolian People's Republic into the United Nations, the rest of the world would become better acquainted with this country.

The delegates of U.S.A., Australia, Egypt, Netherlands and U.K., while reserving their Government's positions, stated that the available information was not sufficient to show whether the Mongolian People's Republic was capable of fulfilling the obligations under the Charter, and expressed a desire for further information which would clarify some points. The delegates of the U.K. and U.S.A. thought it would be useful to know whether the Mongolian People's Republic would be willing to extend her diplomatic relations with

B. On 31 July 1946, the Secretary-General, upon the Committee's request sent a telegram to the Government of the Mongolian People's Republic asking them to appoint a Representative, available in New York, to whom a request for information could be addressed.

C. As some delegates had expressed a desire for further information concerning the applicant State, it was decided on 9 August 1946 that the same Sub-Committee which had drafted the questions in the case of Albania (Composed of the delegates of Australia, Egypt and Poland), should prepare a draft of questions to be submitted to the Mongolian People's Republic. Although no reply had been received to the telegram of 31 July, the Committee decided on 12 August 1946 to transmit the questions, as prepared by the Sub-Committee and amended by the Committee, directly to the Republic without waiting for a reply to the original request. A telegram containing the questions was accordingly dispatched to the Minister for Foreign Affairs of the Republic of Ulan Bator. (For the telegram see Annex No. 12).

D. On 16 August 1946, after receiving a statement from the Secretariat that the RCA was still making inquiries in order to ascertain whether the two previous telegrams had been received by the government of the Mongolian People's Republic, the Committee decided to approach the Government of the U.S.S.R. to inquire of the Mongolian People's Republic whether it had received the two telegrams. A letter to this effect was accordingly sent on 16 August 1946 to the Representative of U.S.S.R. on the Security Council. (For the letter see Annex No. 13).

E. No reply has yet been received from the Mongolian People's Republic, but at the meeting of 20 August 1946 the delegate of the U.S.S.R. stated that according to his information a representative from the Republic was on his way to New York.

(2) Conclusions: The Committee's opinion on the availability of sufficient information on the application of the Mongolian People's Republic was divided.

(3) Attitudes of Delegations: (i) The delegates of Poland and the U.S.S.R. supported the application; (ii) Other delegates reserved their opinion, as they felt the available information was inadequate. In addition the delegate of China suggested the advisability that the examination be postponed for a year.

AFGHANISTAN

(1) The application of Afghanistan was submitted to the Security Council on 2 July 1946 (see Document S/96). The Secretariat prepared a working paper containing some basic facts on Afghanistan to facilitate the work of the Committee.

(2) The following is a summary of the discussion on the application, representing the views of various Delegations concerning the application of Afghanistan.

The delegate of the U.S., in supporting the application of Afghanistan, stressed this country's desire and ability to work out her international problems along friendly and equitable lines. He stated that Afghanistan had earned the respect of the US by scrupulous observation of her obligations as a neutral during the war. He declared that it was the belief of his Government that the United Nations would be strengthened by Afghanistan's admission and said that the US was confident of her ability and willingness to carry out the obligations of the Charter.

The Egyptian delegate described the important position Afghanistan held in the world both culturally and geographically and stressed her historical record as a peace-loving nation. He was glad to align himself with the US in support of her admission.

The delegate of the UK in giving his whole hearted support to the application of Afghanistan emphasized the peace-loving nature of the applicant and stated that his Government believed Afghanistan would contribute to the work of the United Nations.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of the Delegations: The application of Afghanistan was supported by the delegates of the U.S., Egypt, U.K., China, Poland, U.S.S.R., the Netherlands, Mexico, France and Brazil.

The Hashemite Kingdom of Trans-Jordan

1. The application of the Hashemite Kingdom of Trans-Jordan, bearing the date of 26 June 1946 and addressed to the Secretary-General, reached the United Nations on 8 July 1946 (see Document S/101).

In order to facilitate the work of the Committee, the Secretariat prepared a working paper containing some basic facts on the Hashemite Kingdom of Trans-Jordan.

2. The following is a summary of the discussion on the application of the Hashemite Kingdom of Trans-Jordan, representing the views of the various delegations.

The delegate of the United Kingdom recalled the history of Trans-Jordan under Mandate and referred to the British Foreign Secretary's declaration on 17 January 1946 in the General Assembly of the United Nations announcing the intention of the U.K. Government to take steps in the near future for establishing Trans-Jordan as an independent state. He quoted the resolution welcoming this declaration adopted by the General Assembly on February 5, and went on to refer to the Treaty of Alliance between Trans-Jordan and the U.K. of March 22, 1946, and the resolution of the Assembly of the League of Nations on April 18, 1946, which stated that the Assembly welcomed the termination of the mandated status of Trans-Jordan. He then spoke of the valuable help given to the Allied cause by the Arab Legion, a military force voluntarily contributed by Trans-Jordan at a critical period of the war.

He stated that the administration of Trans-Jordan was economically independent and that the financial assistance extended by the U.K. Government under the Treaty of Alliance was restricted to the reimbursement of expenses in connection with Trans-Jordan's armed forces, which Trans-Jordan would not otherwise be called upon to bear. (For the full statement of the delegate of the United Kingdom, see Annex No. 14).

In his additional statement the delegate of the United Kingdom commented on the statement of the delegate of Poland on the application of the Trusteeship system in relation to Trans-Jordan and the recognition of

its independence by the Assembly of the League of Nations. (For the full statement, see Annex No. 15).

The delegate of Egypt stated that the Egyptian Government unhesitatingly considered Trans-Jordan a peace-loving state, willing and able to carry out its obligations under the Charter. Although she was one of the youngest states, she had important political, economic and cultural relations with the rest of the world, and had already made great contributions to the cause of democracy. For these reasons, he fully supported Trans-Jordan's application.

He wished, however, to make a formal reservation in connection with the Treaty of Alliance signed this year between the United Kingdom and Trans-Jordan. He felt this Treaty must be thoroughly examined by the United Nations, to determine whether it was in accordance with the provisions of the Charter; if it were not, it should be brought into line with the Charter. He made the following preliminary observations on this Treaty. Article 5 and an Annex to the Treaty contained an agreement concerning the stationing of British military forces in the territory of Trans-Jordan. This could be considered contrary to the principle of sovereign equality of all United Nations Members provided for in Article 2 (1) of the Charter. Article 82 of the Charter provides that: "There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43." Article 43 was interpreted at San Francisco to mean that no foreign forces should be maintained in the territory of Members of the United Nations except during war or by the stipulation of Article 43 of the Charter. Mr. Fawzi thought it would be useful to examine the relationship of these Articles of the Charter to Article 5 of the Treaty of Alliance and its Annex.

Article 12 of the Treaty of Alliance states that: "Nothing in the present Treaty is intended to or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Charter of the United Nations, or, save as

may result from the provisions of Articles 8 and 11, under any other international agreements, conventions or treaties."

The delegate of Egypt stated that the Egyptian Government felt free to give its own interpretation of the relationship between the Treaty and the Charter of the United Nations, and did not consider itself necessarily bound by this interpretation given in Article 12. He would like to be sure that the interpretation given by Article 12 was in accordance with the Charter and that it represented the actual state of affairs.

He desired to make it clear that he was not asking for an examination of this question immediately. He wished his Government's reservation to be taken not as hindering but as accompanying the actual admission of Trans-Jordan to membership in the United Nations.

He referred to the delegate of Poland saying that there was a similarity between Trans-Jordan and Palestine, but he felt that such important conclusions should not be built on the similarity. He pointed out that according to the Mandate of Palestine and the statements of the Secretary-General of the League of Nations, which had been approved by the League Council, several of the mandate rules concerning Palestine did not apply to Trans-Jordan. He thought it significant that Trans-Jordan had a Cabinet with a Foreign Minister while Palestine did not, that Trans-Jordan had been able to become a member of the Arab League while Palestine had not, and that Trans-Jordan accepted and sent consular representatives while Palestine accepted them but did not send them. He repeated that his reservation on the Treaty of Alliance between the United Kingdom and Trans-Jordan was meant to accompany and not to hinder the actual admission of Trans-Jordan.

On a later occasion he added that the Egyptian Government recognized the Hashemite Kingdom of Trans-Jordan as an independent state, and that he had had that in mind when he expressed his Government's support of Trans-Jordan's application for membership in the United Nations.

The delegate of Australia stated that his Delegation had an open mind on the application of Trans-Jordan, but would like to have additional information which could be obtained either from the delegate of the United

Kingdom or the Representative of Trans-Jordan, which would assist the members of the Security Council to form an opinion regarding statements that had been made concerning the financial and military dependence of Trans-Jordan.

The delegate of U.S.A. stated that his Government had the application under continuing study and viewed it with an open mind, but reserved his possible future position.

The delegate of the U.S.S.R. declared that he could not support the application of Trans-Jordan because there were no diplomatic relations between U.S.S.R. and Trans-Jordan.

The delegate of Poland expressed doubts as to the sovereign independence of Trans-Jordan, basing his doubts on legal grounds. He assured the Committee that Poland had always recognized and looked with deep sympathy upon the tendency of the Arab people toward emancipation and that his reservations were not intended to oppose the independence of Trans-Jordan, but were aimed towards clarifying and establishing whether Trans-Jordan had obtained her de jure and de facto independence. (For the full statement of the delegate of Poland, see Annex No. 16).

In his additional statement he said that his Government considered the way in which the Mandate of Trans-Jordan was terminated as not in conformity with the procedure accepted by the Council of the League of Nations in regard to other Mandates. In his opinion, neither the requirements provided by the Mandates Commission of the League of Nations nor the provisions of the Charter of the United Nations were met when this Mandate was terminated.

He stated also that there was a close connection between Trans-Jordan and Palestine, not only because Mr. Ecyin mentioned those two countries in the same statement, but also because those countries were placed under a joint Mandate of the League of Nations, and incidentally, according to some press reports, the troops of the Arab Legion were pouring into Palestine and were patrolling the streets of Jerusalem.

In conclusion he stated that the admission of Trans-Jordan would

be premature, and suggested that the application be postponed for a year.
(For the full statement of the delegate of Poland, see Annex 17).

Owing to shortage of time, the delegate of the United Kingdom did not have an opportunity to make detailed comment on the Polish delegate's second statement. He pointed out, however, that he had never said that there was no connection between Palestine and Trans-Jordan. What he had said was that there was no connection between the situation in Palestine and the application of Trans-Jordan for admission to the United Nations.

Sub-Committee

Following the procedure adopted in examining the applications of the People's Republic of Albania and the Mongolian People's Republic, a Sub-Committee consisting of the delegates of Australia, Egypt and Poland was appointed and instructed to prepare a questionnaire based on the statement made by the Polish delegate, to be submitted to the Representative of Trans-Jordan. This questionnaire prepared by the Sub-Committee was approved by the Committee with minor alterations, with the delegate of Egypt voting against including question 3, and was dispatched to the Representative of Trans-Jordan on 15 August 1946. (See Annex No. 18).

The reply from Trans-Jordan's Representative in New York was received on 20 August 1946. (See Annex No. 19).

3. Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

4. Attitudes of the Delegations: (i) The application of Trans-Jordan was supported by the delegates of the United Kingdom and Egypt; (ii) The delegate of the Netherlands declared that his Government regarded the application favourably; (iii) The Polish delegate expressed doubts as to the sovereign independence of Trans-Jordan, at present, on legal grounds, and suggested the postponement of the decision on this application for one year; (iv) The delegate of the U.S.S.R. declared that he could not support the application of Trans-Jordan because there were no diplomatic relations between the U.S.S.R. and Trans-Jordan.

IRELAND

(1) The application of Ireland was submitted by the Minister for External Affairs to the Secretary-General in a telegram dated 2 August 1946. (See Document S/116.) The Secretariat prepared a working paper containing some basic facts on Ireland to facilitate the work of the Committee.

(2) The following is a summary of the discussion on the application of Ireland representing the views of various delegations:

The delegate of U.K. stated that the U.K. Government was convinced that Ireland was a peace-loving state and was satisfied that she was able and willing to carry out the obligations under the Charter.

The delegates of Brazil, China, France, the Netherlands and the U.S.A. expressed themselves in favour of Ireland's admission.

The delegate of Mexico stated that his Government regarded the application of Ireland with very special sympathy.

The delegate of U.S.S.R. stated that his Government had no diplomatic relations with Ireland and would not support its application.

The delegate of Poland reserved his right to speak on the application when he received his Government's instructions.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of Delegations: (i) The application was supported by the delegates of the U.K., China, U.S., France, Mexico, the Netherlands and Brazil. (ii) The delegate of the U.S.S.R. declared that he could not support the application of Ireland because there were no diplomatic relations between the U.S.S.R. and Ireland.

PORTUGAL

(1) The application was submitted by the Portuguese Ambassador in Washington, D.C. on 2 August 1946 in a telegram to the Secretary-General. (See Document S/119.) The delegate of Australia expressed his doubts whether Portugal's application contained a categorical and formal acceptance of the obligations under the Charter, and thought it advisable to have a clarification of this point. Although some delegates considered the application adequate, the Committee decided to authorize the Secretariat to approach the Ambassador of Portugal with a request for a clearer acceptance of the obligations. On 15 August 1946, the Ambassador of Portugal confirmed in a letter addressed to the Secretary-General that Portugal accepted fully all obligations under the Charter, and that the original application was intended to have that meaning.

In order to facilitate the work of the Committee, the Secretariat prepared a working paper containing some basic facts on Portugal.

(2) The following is a summary of the discussion on the application of Portugal representing the views of various delegations:

The delegate of the U.K., supporting the application, stated that traditional friendship existed between his country and Portugal, based on an Alliance which had continued since 1386, and his Government considered that Portugal, when admitted, could make a considerable contribution to the United Nations. He stressed the fact that Portugal as a neutral during the war allowed the use of the Azores Islands to British and American air forces, thus rendering a great service to the Allies. He also mentioned Portugal's role in offering asylum to thousands of refugees, victims of the Nazis. In connection with this application, he recalled the Potsdam Agreement which provided that the Governments of the U.S.S.R., U.S.A., and U.K. would support the applications of the neutrals for membership in the United Nations.

The delegate of the U.S.A. supported the application and associated himself with the delegate of U.K. in his description of Portugal's assistance to the United Nations by offering the facilities in the Azores Islands to the U.K. and U.S.A. Portugal's record in the past, he added, spoke for itself as to her peace-loving character and her ability and willingness to carry out the obligations under the Charter.

The delegate of France supported the application and stressed Portugal's assistance to many French nationals who managed to escape during the war from occupied France, and were helped by Portugal in joining the Free French Army.

The delegates of China, Brazil and the Netherlands also supported the application, Brazil and the Netherlands stressing her help given to the United Nations during the war and her willingness and ability to fulfill the obligations of the Charter.

The delegate of Mexico stated that friendly relations existed between his country and Portugal over a long period of time, and that Mexico regards the Portuguese people highly.

The delegate of Poland stated that his Government had some doubts concerning the admission of Portugal in view of her close relations with Spain and the former German Government. He also recommended a careful examination of this application in view of the ideology of that country which is so close to that of Fascism which the United Nations fought for more than five years.

The delegate of U.S.S.R. declared that he could not support the application of Portugal because there were no diplomatic relations between the U.S.S.R. and Portugal.

The delegate of Australia asked the Delegate of U.S.S.R. to clarify his position and to inform the Committee whether his objection was based on the lack of sufficient information about the country or whether the fact that diplomatic representatives were not exchanged was the reason for opposing it.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of Delegations: (i) The application was supported by the delegates of the U.K., U.S.A., France, China, Brazil, Netherlands and Mexico; (ii) Doubts were expressed by the delegate of Poland as to the conformity of the ideology of the present Portuguese regime with the spirit of the Charter; (iii) The delegate of the U.S.S.R. declared that he could not support the application of Portugal because there were no diplomatic relations between the U.S.S.R. and Portugal.

ICELAND

(1) The application of Iceland was submitted to the Security Council on 2 August 1946 (see Document S/120). The Secretariat prepared a working paper containing some basic facts on Iceland to facilitate the work of the Committee.

(2) The following is a summary of the discussion on the application, representing the views of various delegations concerning the application of Iceland.

The delegate of the U.S. declared that his Government warmly supported the application of Iceland for membership in the United Nations, since she has demonstrated that she was a peace-loving state and was able and willing to carry out the obligations contained in the Charter. He added that the close relationship of Iceland to the United Nations had previously been recognized in the invitations extended to it to participate in such international conferences as established the Food and Agriculture Organization, UNRRA and Bretton Woods. He stressed the great cooperation of the Iceland Government and people, during the battle of Europe, in safeguarding the North Atlantic sea lanes.

Paying tribute to the democratic way of life of the people of Iceland and to the value of their war bases to the Allied cause, the U.E. delegate stated that his Government considered Iceland as peace-loving and able and willing to fulfill the obligations of the Charter.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of Delegations: Support for the application of Iceland was expressed by the delegates of the U.S., the U.K., Mexico and U.S.S.R.

SIAM

(1) The desire of Siam to "join in the UNO" was expressed in a letter to the Secretary-General dated 20 May 1946 (see Document S/73). Since there was doubt as to the formality and validity of this request for admission, further information was requested by the Acting Secretary-General in his letter of 9 July to the Siamese Representative in New York. In reply to this request, formal application for admission of Siam to the UN was made 3 August 1946 (see Document S/121).

The Secretariat prepared a working paper containing some basic facts on Siam to facilitate the work of the Committee.

(2) The following is a summary of the discussion on the application, representing the views of various delegations concerning the application of Siam.

The delegate of the U.K. said that in accordance with the spirit of the peace treaty signed by his country with Siam early this year, he wished to support the Siamese application.

The U.S. delegate stated that his Government considered Siam qualified to become a Member of the United Nations and would support its application.

The delegate of China related the happy relations that had existed between his country and Siam for many centuries prior to the 1930's. During this past decade Siam had come under Japanese influence and relations between her and China had deteriorated. China, however, in the spirit of good relations established between China and the post-war Siamese Government, would support the application of this country in the hope and expectation that Siam would be a useful Member of the Organization.

The delegate of France stated that, without entering into the details of the difficulties which exist between France and Siam, he desired to put on record that it was not because of the existence of any territorial conflict between the two countries that France could not, in the present

state of affairs, support the application of the Bangkok Government, but because this conflict resulted from an aggression which Siam launched in 1940 against Indo-China. Thanks to the support of the Japanese Government, the Bangkok Government obtained by treaty, signed in Tokyo 9 May 1941, cession of territories which, up to that time, had formed a part of Cambodia and Laos. Alone of all the territories which changed sovereignty during the period of Japanese domination in the Far East, these provinces continued to form a part, in practice, of the country which had acquired them through aggression. The French delegate said that his Government had not denied the Bangkok Government the possibility of an agreement to restore the territory and added that conversations on this point were now in progress. But so long as an agreement has not been arrived at on the procedure for the solution of this territorial dispute, France would continue to consider herself in an actual state of war with Siam and would not be able to vote in favor of her admission. In the opinion of the French Government, it would not be proper for Siam, by its admission to the United Nations, to receive an acquittal of its policy of aggression in the past before having proved by its deeds its willingness to repair the damage it has caused.

In a letter of 19 August (S/132) to the Secretary-General, the Siamese Representative confirmed the statement of the French delegate that talks were at present under way, that the Siamese Delegation in Washington was confident that an agreement would be reached very soon on the procedure for the settlement of the territorial dispute and therefore trusted that the Security Council would regard favourably Siam's application for membership.

The delegate of Australia said that, although Australia had concluded peace with Siam and entered into diplomatic relations with that country, his Delegation attached some weight to the fact that a Member of the United Nations considered itself in a state of war with Siam.

The delegate of the Netherlands stated that his country had diplomatic relations with Siam but added that he felt embarrassed by the fact that

one Member of the United Nations considered itself in a state of war with the applicant.

The delegate of the U.S.S.R. stated that his country did not maintain diplomatic relations with Siam and that he could not support the application.

At a later meeting of the Committee, the French delegate announced that the negotiations scheduled to take place in Washington had not in effect begun because of serious incidents that had occurred 7 August in the territory of Cambodia which is under French sovereignty. Under these conditions, the negotiations could not be held until further information had been obtained regarding these incidents.

(3) Conclusions: Several members of the Committee felt that a sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitude of Delegations: (i) Some delegates expressed doubt whether in view of the present state of war between Siam and a Member of the United Nations, it was possible to admit the applicant to the Organization; (ii) The delegate of France stated that he was not in a position to give a favourable opinion on the application; (iii) The application was supported by the U.K., China and the U.S.; (iv) The delegate of the U.S.S.R. declared that he could not support the application of Siam because there were no diplomatic relations between the U.S.S.R. and Siam.

SWEDEN

(1) The application of Sweden was submitted to the Security Council on 9 August 1946 (see Document S/125). The Secretariat prepared a working paper containing some basic facts on Sweden to facilitate the work of the Committee.

(2) The following is a summary of the discussion on the application, representing the views of various delegations concerning the application of Sweden:

The delegates of the U.S., U.K., China, Netherlands, Brazil, France and Poland endorsed the application of Sweden for membership in the United Nations, stressing the long and peaceful relations their Governments had enjoyed with that country, its democratic institutions, and the humanitarian help given by Sweden to refugees during the war. They deemed her qualified and willing to fulfill all obligations contained in the United Nations Charter.

The delegate of Mexico described the friendly relations that existed between his country and Sweden and praised the valuable attention given Mexican nationals by Sweden during the war when Sweden represented the Mexican interests in Germany and other Axis-dominated territories.

(3) Conclusions: In view of the material placed before the Committee and the ensuing discussion, it was considered that sufficient basis existed for the members of the Security Council to reach a decision.

(4) Attitudes of Delegations: The application was supported by the delegates of the U.S., Mexico, U.K., Brazil, China, France, the Netherlands, Poland and U.S.S.R.

ANNEX NO. 1

RESERVATION BY THE AUSTRALIAN GOVERNMENT

As stated in the Security Council on 22 and 23 May 1946, the Australian Government takes the view that the procedure adopted by the Security Council in regard to the admission of new Members is incorrect and that applications should be dealt with in the first instance by the General Assembly. As the required majority of the Security Council decided to establish the Committee on New Members, Australia, as a member of the Security Council, participated in the work of the Committee, but participation and the approval of the Committee's report are not regarded as limiting in any way the right of the Australian Government to re-open the procedural question if it thinks fit. Further, the fact that an application for membership had or has not been considered by this Committee is not regarded as excluding such application from consideration by the General Assembly. Because of the views of the Australian Government regarding the correct procedure and its views regarding the Committee's functions, the Australian representative limited his participation in the Committee's work to assisting the Committee to obtain information concerning applications and Australia does not feel that it is called upon at this stage to pronounce either in favour or against applicants and hence has not declared its attitude towards any application.

On the information at present available to it, the Australian Government would be prepared at the proper time to support the application of Eire, Sweden, Transjordan and Afghanistan. This should not be taken as an indication that at the proper time Australia will not support the application of any or all of the other applicant states.

ANNEX NO. 2

Statement of the Delegate of Mexico

In accordance with the principle of universality which Mexico has always advocated, the Mexican Delegation is in favor of the admission of all the applicant States where it is not proved that the applicant does not fulfill the requirements of the Charter.

ANNEX NO. 3

STATEMENT MADE BY THE DELEGATE FOR U.S.S.R. ON ALBANIA AT THE
THIRD MEETING OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS

Mr. Chairman:

I would like to make some remarks for the benefit of the satisfaction of the application for admission of the Peoples' Republic of Albania as a member of the United Nations. Albania is a peace-loving democratic state which has brought a great contribution in the fighting case of the United Nations for the destruction of the Italian and German fascist aggressors in Europe. The peace-loving Albanian people was one of the first victims of the fascist aggression in Europe, sacrifice of the Italian fascism which seized Albania in 1939 by bandit way. The Albanian Government, which were in power at that time not only sharply declared Il Duce's ultimatum and declared energetic protest before the Great Powers and the League of Nations, but at the same time they called the Albanian people in to arms and to defense of the native land. Blood of the best sons of this small country was streaming in towns and villages of Albania. But in spite of the heroic resistance of Albanian people, fascist hordes in the result of their numerical superiority and superiority of the arms, obtained full occupation of the country. Italy's armed offensive to Albania, carefully prepared and made without any provocation of Albania, was illegal war, that is, it was characteristic act of aggression. Replying on this aggression by means of armed forces, Albanian people served as an example in the struggle for freedom, independence and international order.

Albanian people has never considered itself as defeated and has never reconciled itself with that act of occupation. Contrary to that, they continued their resistance which has become armed and active immediately after beginning of the occupation of Albania. In spite of the appeals of the King Zoggi and his Government to humble themselves with Italian occupation, the Albanian people armed itself, destroyed military warehouses of occupants.

On 5, 6 and 7 April 1939, 15,000 Albanian patriots already fought heroically against Italian fascists in the towns of Durazzo, Valon and different districts of the coast.

The uprising of patriots was suppressed at that time, but the fight of the Albanian people against the occupants did not cease.

In the first days of occupation in 1939, five partisan detachments of above 3,000 men strong fought already against the Italian fascists in the mountains of Albania.

Since the very beginning of the World War II, Albanian people fought more actively against fascist occupants and this war of the Albanian people against Italian and German occupants was conducted with increasing intensity until the complete liberation of Albanian territory.

Quisling Governments of Albania created by Italians were forced to resign one after another while blockade of towns and large centers introduced by occupants only increased the anger of the people. People continually ran into the mountains for conducting guerrilla war against fascist occupants and local quislings.

Nevertheless the Italian aggressor annexed Albania, established there so-called Constituent Assembly and organized there one after another puppet governments composed of quisling elements who lived on the aggressor's salary.

The fascist interventionists, using terror as soon as they established themselves in Albania, introduced some measures for involving that country in their own state, and ideological system by means of extermination of any political, economic and even administrative independence.

The Constitution of 3 June 1939, which was "granted" to the Albanian people by the Italian Supreme Authorities of that time, was actually a fraud, a juridical fiction, needed only to cover up the true intentions of the Italian occupants who wanted a complete annihilation of Albanian people.

In accordance with this Constitution the Italians took into their hands not only Supreme Authority in Albania, but the whole administration of the country, including appointment of officials and employees, and took possession of all economic resources. Albania lost then the most elementary rights of local autonomy; the military occupation of Albania was followed by the annexation and the independent Albanian State became a simple province which

was governed by a foreign royal representative and authorities appointed by him.

If there was not freely elected government any act or decree on behalf of the occupants and their agencies could not be carried into life with good will of the Albanian people.

Therefore, is it possible to bring seriously a charge against the Albanian people and her Republican Government for the decree about the declaration of war on Greece in 1940? Certainly not.

I have in my disposition the contents of a document - the order of King Victor Emmanuel of 9 June 1940; the first article of this order says:

"Albanian Kingdom is considered in the state of war with all the States with which Italian Kingdom is in war".

I have also in my disposition an extract from protocol No. 9 of 28 October 1940 of the Supreme Council of Fascist Corporation. From this extract it is clear that the Chairman of the Quisling Government of Albania, Shefqet Verlazzi, in accordance with the above-mentioned order of the Italian King, announced the declaration of war on Greece at the Supreme Fascist Council.

It is quite evident from this extract that the declaration of war on Greece is not the matter of the Albanian people, but was undertaken by the Italian occupants and Albanian Quislings apart from the will of the Albanian people.

In response to the declaration of war on Greece, 14 underground patriotic organizations of Albania called upon all the population of Albania to uprising and called upon Albanian units created by Quislings to desertion.

Albanian soldiers and officers sabotaged and deserted from the Greek front and most of them were exiled to concentration camps in Italy.

In November 1940 the population of Korce and Gjirokastra being anxious to fight against Italian occupants, suggested to Greek military authorities their services but these authorities refused categorically to accept their services and even disarmed the Albanians. Somebody accused Albania of alleged

sending by it 15 battalions against Greece. There is no doubt that these accusations are absolutely false and tendentious, for in reality there were only small army formations gathered by means of threat and cunning. And even these formations, however, deserted during the first struggle and some of them joined the Greek army in order to beat the common enemy, and the rest joined the advancing fighters for national liberation of Albania. Il Duce himself explained partly his failures and defeats in the war against Greece by treachery on the part of the Albanians. In a letter to Hitler dated 22 November 1940, Mussolini, justifying himself for failures and defeats of the Italian army in Greece, wrote that one of the main reasons of "such state of affairs was treachery on the part of almost all the Albanian forces, which had rebelled against our troops. Six thousand Albanians in one of our Divisions ought to have been disarmed and sent to the rear".

It is quite clear from this that the Albanian people did not want the war and was not at war with the United Nations and in particular with Greece. This is indicated also by the fact that the Albanian-Quislings and their allies responsible for declaring a war against Greece were prosecuted by the People's Republic of Albania. Some of them, for instance, Quisling Minister Fezi Alizoty, Lezetanin Kotle and others were executed, and others like Kemal Vrioni and Fefik Mberya were sentenced to life-long term of imprisonment and hard labour. This is also indicated by the fact that there is only one member on the present Constituent Assembly of Republican Albania who took part in the parliament created by the Italians. But that only member was compelled by force to participate in that parliament and further he took part in the struggle against the occupants.

Concerning the attitude of the Albanian people towards the war against Greece, one can judge also from the speech made by Enver Hoja the present Prime Minister of Albania, at the Congress Permetsa. At the Congress Envar Hoja said:

"The Italian occupants brought to power disgusting traitors like Shefket Verliasi, Mustafa Mziu, Malik Eushati, Ekrom Lebehova and

others and with their help they began to carry out their plan to exterminate the Albanian people and convert them into cannon-fodder, to make their enslaving wars at the expense of other peoples, anxious to have freedom".

There can be no doubt, as mentioned above, that Albania has not only juridical and moral rights to be admitted to the United Nations Organization without delay, but she is full of wishes and is able to carry out the obligations arising from the Charter of the United Nations. The remarkable contribution of the Albanian people to the cause of the destruction of the common enemy of the United Nations, and also contemporary efforts of Albania in the cause of reconstruction and inner revival of the country persuasively prove that Albania possesses all capacities of the stable independent democratic state and she undoubtedly deserves to be admitted to the family of the United Nations.

The application of the Albanian people for admission of Albania as a Member of the United Nations in order to collaborate with other democratic nations in the cause of peace, security and international co-operation is based on indisputable right conquered with hard and bloody sacrifices which Albania carried during the last war in the struggle for the common cause of the United Nations.

ANNEX NO. 4

STATEMENT MADE BY THE DELEGATE OF UNITED KINGDOM ON ALBANIA
AT THE THIRD MEETING OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS

I think, Mr. Chairman, that we are all grateful for our Soviet colleague's interesting account of the behaviour of the Albanian people during the war. I do not, however, intend to follow him by discussing this aspect of the question; though as a matter of fact we do know something about it in my country, since British soldiers and airmen played their part in Albania in the liberation of that country from Fascist domination. It is clear from this that there is no ill-will on the part of my Government towards the Albanian people. But we are principally concerned here, I think, with another matter, that is the behaviour of the Albanian Government today: is it peace-loving, does it accept the obligations of the Charter and, if so, is it able and willing to carry them out?

I should like, in this connection, to enlarge somewhat upon the facts contained in the memorandum provided by the Secretariat for use as a working paper; and if I may say so, without any desire to make a complaint, I have been somewhat struck by the incompleteness of the information contained in the memoranda which the Secretariat have been good enough to provide for us regarding applicant states. I hope therefore that my colleagues will bear with me if I go over in rather more detail some of the same ground as is already covered by the Secretariat's memorandum.

His Majesty's Government in the United Kingdom are not in diplomatic relations with the Albanian Government. The following facts make clear the reasons for this state of affairs so far as His Majesty's Government are concerned.

In November 1949 His Majesty's Government in the United Kingdom recognized the government of General Hoxha as the provisional government of Albania, having first received assurances regarding free elections and the establishment of a democratic form of government. A diplomatic representative was nominated and his agreement granted by the Albanian Government. Meanwhile, however, General Hoxha's Government began to assume a very provocative attitude. Many

obstacles were placed in the way of the work of the British Military Mission, whose movements were restricted eventually to the capital itself; the British War Graves Mission, dealing with the consent of the Albanian Government, with the concentration and registering of the graves of British servicemen who fell in the fight for Albania's freedom, were expelled before their work was completed; the Albanian Government refused to grant a visa to Major Smith, a member of the Staff of the British Minister (I should mention in passing that he had previously received the highest Albanian award for gallantry in the war, during which he had served as liaison officer attached to General Hoxha); and the British Military Mission was violently attacked by the Albanian press. In the circumstances His Majesty's Government in the United Kingdom sought certain assurances regarding facilities normally granted between friendly European states, before authorizing His Majesty's Minister-Designate to proceed to his post; but these assurances were not forthcoming in a form acceptable to them, and they felt obliged to inform the Albanian Government in April last that they did not feel able to authorize His Majesty's Minister-Designate to proceed to Tirana, nor to receive an Albanian representative in London. Subsequently however the Albanian Government gave assurances with regard to Major Smith, the War Graves Mission, and the usual facilities for His Majesty's Minister-Designate, and His Majesty's Government were about to proceed to exchange diplomatic representatives with the Albanian Government when, on May 15th, two of His Majesty's ships, *Orion* and *Superb*, were fired at without warning from Albanian shore batteries in the vicinity of Port Edda. Fire was not returned. The ships were proceeding (as they were entitled to do) through the declared swept channel on passage from the North Adriatic to Cerfu. Innocent passage through the Straits is a recognized right in international law and there was no question of provocation or any hostile act on the part of His Majesty's ships. In the circumstances His Majesty's Government in the United Kingdom suspended action with regard to the exchange of diplomatic representatives, and asked for an immediate and public apology from the Albanian Government for the outrageous action of the batteries concerned, and an assurance that the persons responsible had been

severely punished. The Albanian Government's reply to this request was completely unsatisfactory, and appeared to be based on a number of misstatements, as well as ignorance of the relevant provisions of international law, since it attempted to justify the action of the coastal commander as being "in conformity with general orders based on international law". In point of fact there is nothing that can justify the firing of twelve rounds from heavy guns in time of peace at friendly ships in an international waterway. Accordingly on May 30th His Majesty's Government in the United Kingdom repeated their request for punishment of the officer concerned, for an apology from the Albanian Government, and for an assurance, which the Albanian Government's note rendered necessary, that there would be no further interference in the right of passage through the Corfu channel. No apology and no assurances have yet been received. In the circumstances it is difficult for us to express ourselves finally at this stage.

Moreover, there are certain additional facts which I should like to mention. Our information is that units of the regular Albanian army have attacked Greek frontier posts on Greek territory; and Albania is still technically in a state of war with Greece, a member of the United Nations who has territorial claims against Albania, a former enemy state. On this subject, however, we must await consideration of the note which I understand that the Greek Ambassador has just delivered.

In all the circumstances which I have described, His Majesty's Government in the United Kingdom have serious misgivings as to whether Albania satisfies the requirements of Article 4 of the Charter, since it is open to doubt whether a Government which permits such incidents as I have mentioned can seriously be called peace-loving. I should welcome the views of my colleagues on this matter.

Finally, if I may refer again to the Secretariat's memorandum, there is one further point of detail on which it might have been useful for the Committee to have rather fuller information. On page 3, in dealing with the Albanian elections of December 1945, the memorandum speaks of two "lists": the Democratic Front and Independents. Am I right in thinking that as in my

country and some other countries, these Independents are not in fact a political party? I note, in any case, that the Democratic Front won all the seats.

ANNEX NO. 5

STATEMENT MADE BY THE DELEGATE OF U. S. A. CONCERNING
ALBANIA AT THE THIRD MEETING OF THE COMMITTEE
ON THE ADMISSION OF NEW MEMBERS

Mr. Chairman:

The United States Government has an open mind on the Albanian application but is frankly deeply troubled over certain aspects of the question which I shall refer to later.

We have long felt a firm bond of friendship for the Albanian people. We feel the people of Albania were victims of aggression and we admire the resistance which they made against the Axis aggressors during the war. We admit that there is an Albania and that there is an Albanian Government with which, however, we do not have diplomatic relations.

We are frankly concerned over the willingness of this applicant to carry out the obligations contained in the Charter in view of the experiences we have had with the present regime with respect to treaty obligations.

Few if any principles of international law can be regarded as more settled and generally well-understood than the principle that a change in the Government of a State does not serve to terminate the treaties and other obligations of that State. My Government has therefore had no doubt that the treaties and agreements between the United States and Albania were not terminated by the establishment of a new Government in Albania. Since, moreover, no steps were taken by the United States or Albania to terminate any of these treaties or agreements pursuant to their terms, or by mutual agreement, the engagements remain in force to-day.

On November 11, 1945 we informed General Hoxha of our readiness under certain conditions to recognize the Albanian regime and to establish diplomatic relations with it. One of the conditions was that the Albanian Government affirm the continued validity of the treaties and agreements which were in force between the United States and Albania on April 7, 1939. This request seemed no more than routine to us but to our utter amazement the Albanian Government refused to give us the assurance requested. At

first we were told that their archives had been burned or carried away by the occupying forces and that they did not have copies for examination and review. We then furnished texts of all these treaties and agreements to the Albanian authorities. On November 23, General Hoxha informed us "All the agreements with foreign states, political and economic, which were made by the Government of Zogu to the disadvantage of the Albanian people are to be cancelled and new treaties drawn." We do not admit the right of any state to terminate or modify a treaty by unilateral action without regard to the terms of a treaty. But in reply we made known to the Albanian people our willingness to modify in accordance with the terms of such treaties any which the Albanians wished to have revised. I wish to point out here that none of the treaties involved have terms which could in any way be considered onerous to the people of Albania. We also agreed to modify our request so that pending examination by the Albanians of the texts we would only request affirmation of the established principle in international law that a change of the Government of a State does not terminate existing treaties of the state. Copies of the treaties and agreements involved have been in the hands of the Albanian authorities since January, 1946, and to this day we have not received the simple assurance requested. In fact, the Albanian Government has made clear its unwillingness to grant the assurance.

You may think from what I have said that this is simply a matter between Albania and the United States. I should point out, however, that many of the treaties involved are multilateral in character affecting in one way or another most of the members of the United Nations. I have in mind such pacts as the Narcotic Drugs Convention of 1931, Conventions of the Universal Postal Union, the Telecommunications Convention of 1932, the International Red Cross Convention of 1906 and the Kellogg Briand Pact. It is on this broader basis that the United States Government brings this matter to your attention. I do not wish to stress the bilateral character of our problems with Albania such as the discourteous treatment accorded the informal American Mission at Tirana during the past few months involving undue restrictions on

freedom of movement and various other discourtesies. These practices have been far from those which would normally be expected to be extended to the representatives of a friendly state by the authorities of another and are entirely inconsistent with international usage and the traditional friendship which has existed between our two peoples. But I repeat I do not wish to stress bilateral problems.

We are deeply troubled and concerned over the attitude shown by the Albanian authorities on the treaty question. They have not merely disagreed with us over the proper interpretation of a single treaty or over certain facts relating to a single problem. They have expressly and in principle called into question the whole range of treaties with the United States including multilateral treaties to which many states are parties, thereby at least by implication calling into question respect for treaties generally. We are concerned as to whether or not this disregard for the long-established principles of international law is of such a serious nature as to disqualify Albania from membership in the United Nations in the light of the qualifications for membership set forth in the Charter, particularly that of a willingness to carry out the obligations contained in the Charter. As I said in the beginning our mind is open but at the moment we must reserve our position as we wish to examine and study the whole situation further in the light of the discussion here.

I should like to add that my Government is interested in two points which have been made with regard to the Albanian application. First, we are interested in those matters related to a consideration of the question whether the Albanian regime fulfills the requirement that it must be a peace-loving State which has been discussed pro and con. Secondly, we have noted the remarks made by the representative of the United Kingdom with regard to the existence of political parties within Albania.

We hope more information with regard to both of these points will be brought out during these discussions.

I should also like to add two comments with regard to the memorandum

on Albania submitted by the Secretary-General -- not by way of complaint, because I think that in general the paper is objective and a good piece of work, but simply to correct certain points made in the memorandum. In the first place, there should be added to the statement of Secretary Hull, at the end of the statement, the following sentence: "The restoration of a free Albania is inherent in that statement of principle." We feel that sentence is the key sentence of Mr. Hull's statement. Also, at the bottom of page 3 of the memorandum, I should like to have the language which states that the United States recognized Albania altered to bring it into accord with the facts. My Government did not recognize Albania but only offered to do so upon receipt of specified assurances regarding elections and treaties.

ANNEX NO. 6

STATEMENT OF THE DELEGATE OF THE U.S.S.R. ON ALBANIA
FOLLOWING THE FIFTH MEETING OF THE COMMITTEE

This statement enlarges upon the Summary Record of the Fifth Meeting (S/CNM/5), pages 24, Item 3.

The statement (page 4, lines 14 and 15) that the "underground movement" in Albania only began in 1943 was absolutely false. Documents in his government's possession proved that the Albanian resistance movement began not in 1943 but in 1939. In addition to the information of the previous statement about the heroic struggle of Albanian people against Italian aggressors in the period 1939-1940 he gave the following additional information and facts:

"But the Albanian people disconcerted the plans of the occupants and the local quislings despised them and answered by inflaming a guerrilla liberation war.

"In 1941 the Albanian people made 10 raids on the telegraph and telephone connections of the enemy and on the means of communication. In the same year they made 15 raids on the baggage trains of the enemy troops. In that year they also destroyed 13 ammunition dumps and depots of the occupants. In March 1941 the guerrilla detachments attacked and captured the Sirana-Kadro-Duratso railway. The guerrillas killed 380 Italian soldiers and officers and 450 were wounded in that year.

"In 1942 guerrilla detachments were already operating throughout Albania.

"The following greatest battles of the partisans for the independence of Albania should be mentioned hereby: 1) in Peco-Tirana the partisans fought against 20,000 Italians; 2) in Gorn-Valona against the first rate 'blackshirted' Italian police. In the same year of 1942 the partisans liberated such regions as Serrapery, Gorn-oda, the town of Peca and others. At the conference of patriots in the liberated town of Peca and the General Council of National Liberation Front was created. Since that time that struggle turned into the struggle of the whole people and became more organized

"In 1942 already 40 partisan detachments amounting to 10,000

men were fighting in the mountains of Albania. During that year the Italian invaders lost 2,817 men killed, 1,610 wounded and 436 were taken prisoners. In the same year of 1942 the partisans destroyed 62 ammunition dumps, 130 carts with armament and ammunitions and a great number of other armament of the enemy.

"In 1943 the struggle of the partisans became of a large scale. In the beginning of July 1943 the Albanian National Liberating Army was formed out of the partisan detachments. In the same year the organized Albanian Patriotic Army liberated the town of Leskovik and cut off the road leading to Greece and thus gave significant help to the struggle of the Greek people. The battles for the towns of Permet and Maljakastra cost the Albanian people numerous human lives and material resources.

"In July 1943 the partisan's detachments launched great battles against the German troops which invaded Albania. During the winter of 1943 and the summer of 1944 the German invaders made particularly great attacks against the Albanian National Liberating Army which in spite of those attacks was able to liberate such regions and towns as Permet, Klisura, Pogradec and others. In 1944 already 70,000 men were fighting in the ranks of the Patriotic Army.

"Landing Allied descents in France coincided with the bloody battles of National Liberating Albanian Army against 4 first rate German divisions.

"The war which the Albanian people led against the Italian and German troops forced the Hitlerite commanders to keep in Albania permanently 3-5 first rate divisions totaling about 100,000 soldiers and officers, otherwise these troops would have been used against Allies at the other fronts. In 1944 in spite of the fact that 5 choice German divisions were in Albania, the resistance of the Patriotic Albanian Army had not been broken and, on the contrary, the fierce struggle grew up every day. The Albanian Army was able not only to stand against all the German attacks, but, taking the offensive itself, it saved the capital of Albania - Tiranna, and Albania was liberated from the Germans solely by the forces of the National Liberating

Albanian Army.

"Then the Albanian peoples helped Yugoslavia when the two best Albanian divisions were sent there.

"During the whole period of its existence the National Liberating Army made 60 great attacks against the Germans, 170 attacks on the strength of one battalion each and 35 partisan raids. During that time the Albanian Army exterminated 53,689 Italian and German soldiers and officers. The Germans alone suffered the following losses: 25,596 men killed, 21,245 men wounded and 5,300 taken prisoner. During only part of the year 1944 the Albanians destroyed 170 warehouses of the enemy and 192 motor cars. During that year 1944 the Albanian Army captured 1,260 machine-guns, 535 mortars, 30 guns, 25 anti-aircraft gun installations and 679 horses. But participation of the Albanian people in the war against Italo-German troops cost them many human sacrifices and material sufferings.

"About 50,000 partisans and citizens were killed and wounded, of whom 28,000 partisans were killed and 12,600 wounded. Besides, the occupants captured 10,000 partisans, and about 48,000 Albanians were put into Nazi prisons and sent to the concentration camps in Germany.

"Material losses of Albania during five and a half years of enemy occupation were immense. Destruction by Italian and German occupants in Albania amounted to more than \$1,000,000. All the national economy of Albania was completely destroyed or burned. The material losses of Albania in detail are as follows: Annually the Italians removed about 200,000 tons of oil and destroyed and smashed different equipment in that field of industry to the amount of 50,000,000 franks. Damage in the mining industry is estimated at 159,000,000 gold franks. 16,400 habitations were burned and destroyed, 79 state buildings and 4,150 other buildings were partly destroyed. Damage suffered by the Italians in that field is estimated at about 139,000,000 gold franks. Losses of agriculture is estimated at 417,000,000 gold franks and losses of light industry and trade estimated at 113,000,000."

ANNEX NO. 7

LETTER FROM THE CHAIRMAN OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS
TO COL. TUK JAKOVA, MINISTER OF STATE OF THE ALBANIAN PEOPLE'S
REPUBLIC DATED 9 AUGUST 1946 AND THE REPLY DATED 14 AUGUST 1946.

9 August 1946

Sir,

I have the honour to inform you that during the examination of Albania's application for membership in the United Nations, several points have been raised by various Members of the United Nations. The Committee on the Admission of New Members would be appreciative if you would be kind enough to supply additional information on the following points to assist the Committee in preparing its report.

1. Does Albania consider itself in a state of war with Greece?
2. If so, how, in the view of Albania, is this state of war to be ended?
3. Is the Albanian Government prepared to accept the peaceful means of settlement provided by the Charter in connection with territorial claims or other disputes with another state?
4. Has the Albanian Government terminated the treaties existing between Albania and other states prior to 7 April 1939?
5. What is the attitude of Albania towards the continued validity of treaties and agreements in effect on that date between Albania and other states now Members of the United Nations?
6. Can the Albanian Government give information on the following matters which have been brought to the attention of the Committee:

(a) the report of twenty-one incidents on the Greek-Albanian frontier since early 1946, listed in the Annex to Document S/123

(b) the report that on 15 May 1946 two British warships were fired on by batteries on the Albanian coast.

(c) the report of the seizing of Greek citizens and their detention in Albanian concentration camps, denial of access to these camps of representatives of the International Red Cross and alleged ill treatment of the inmates, listed in Document S/123

What representations have been made by other governments in respect of the above-mentioned matters and what action has the Albanian Government taken in regard to those representations?

7. In addition, it would assist the Committee in making its report to the Security Council if it could be supplied with official information regarding the results of the general election of 2 December 1945, including the total number of electors enrolled; the number of electors who cast votes; the distribution of votes.

The asking of these questions is not in any way an expression of opinion by the Committee on the Albanian application.

The Committee realizes that it may not be possible for you to reply immediately to all questions listed. Consequently, I have been asked by the Committee to request you - should this case arise - to submit the replies you can formulate at once with the least possible delay and to furnish information on the other questions as soon as you are in a position to do so.

I have the honour to be,

Sir,

Your obedient Servant,

(signed)

R. FACK, Chairman
Committee on the Admission of New Members

His Excellency, Mr. Tuk Jakova,
Minister of State,
Hotel New Yorker,
Eighth Avenue and 34th Street,
New York, New York

Hotel New Yorker
Eighth Ave. & 34th St.
New York, 1, N. Y.

August 14, 1946

Sir

I have the honor to submit herewith the answers to the questions which the United Nations Committee on the Admission of New Members sent to me on the 9th of August 1946.

Respectfully Yours,

(signed)

Col. TUK JAKOVA
Minister of State of the
Albanian People's Republic

The Honorable
R. Fisk, Chairman
Committee on the Admission of New Members,
United Nations,
Hunter College, Bronx,
New York 63, N. Y.

ANSWERS TO THE QUESTIONS OF THE
COMMITTEE ON ADMISSION OF NEW MEMBERS
UNITED NATIONS

1. Albania does not consider herself at war with Greece. The contention that Albania has declared war against Greece on 23 October 1940, is untenable in view of the fact the Albanian state, at that time, was completely submerged by fascist Italy and did not possess a legitimate government, entitled to speak in the name of the Albanian people.

After the occupation of 7 April 1939, Albania was virtually annexed by Italy and was governed like any other Italian province or colony. The King of Italy became King of Albania as well. An Italian Viceroy was sent to rule the country in the name of the King Victor Emmanuel. A puppet government of Albanian quislings and feudal boys, headed by the notorious Shefqet Verlaci, a rich landowner, was imposed by force on the Albanian peasants.

On 9 June 1940, the King of Italy issued a royal decree in which he proclaimed that "the Kingdom of Albania considers itself in a state of war with every state with which Italy will be at war." In accordance with this pronouncement, the quisling Prime Minister Verlaci declared Albania at war with Greece and the Allies. (See Annex No. 1, Pages 1 and 3). The latter disregarded these sham declarations of war for obvious reasons. Neither the King of Italy nor his quisling Premier had any right to speak for the Albanian people. Secretary of State Cordell Hull in his statement of 16 December 1942, explicitly states: "Consistent with its well-established policy not to recognize territorial conquest by force, the Government of the United States has never recognized the annexation of Albania by the Italian Crown." (See Annex No. 2). On the other hand, Article XXV of the Draft Treaty of Peace with Italy, agreed upon lately by the Council of Foreign Ministers in Paris, annuls and voids all acts of the authorities in Albania installed by Italy from 7 April 1939, to September 1943. (See Annex No. 3).

The Greek charge that the Italian occupation was unopposed and that the Albanian resistance movement (which the Greeks minimize) began only in

1943. These contentions are refuted by the facts. The Albanian War of Liberation began on the very day of the Italian invasion, on Good Friday, 7 April 1939, and ended only when the last German was driven out of the country on 29 November 1944. Already in 1942, the effort of the Albanian guerrillas had attracted the attention of the Big Three Allied Nations. On 10 December 1942, Secretary of State Cordell Hall issued an official statement commending the Albanians for their heroic struggle. (See Annex No. 4). Similar statements were issued one week later by Foreign Secretary Anthony Eden of Great Britain and by Foreign Commissar Vyacheslav Molotov of Soviet Russia. On 12 November 1944, the Allied Commander in the Middle East, General Sir Henry Maitland Wilson, extolled the successes achieved by the Albanian Army of National Liberation and their great leader, Col. General Enver Hoxha. (See Annex No. 5). The magnitude of the Albanian war effort can be easily ascertained by the heavy losses suffered by the Albanians and those inflicted upon the enemy. (See Annex No. 6).

The accusation that a regular Albanian Army, consisting of fourteen battalions and approximately 20,000 men, fought with the Italians against the Greeks is unfounded. As a matter of fact, after the Italian invasion of April, 1939, the Albanian War Ministry was abolished. The Albanian Army was disbanded. It was replaced by the Italian Army of Occupation with a sprinkling of a small number of Albanians recruited by force. How these Albanians fought against the Greeks is told by Mussolini himself in a letter to Hitler on 22 November 1940. (See Annex No. 7) On the other hand, the Albanian people sabotaged the Italian war effort and helped the Greeks stop the fascist aggressors. (See Annex No. 8). Finally, the Albanians saw to it that all quislings and collaborationists paid the penalty for their war crimes. Those who could be arrested were brought before the courts and publicly tried. The leading war criminals were executed after conviction, the lesser ones received various prison terms. A few escaped abroad and are to be found in Italy. The Albanians did not forget them. They expect to have them extradited according to Article XXXVIII of the Draft Treaty

with Italy. (See Annex No. 9).

The most extraordinary charge made by the Greek Government is that little Albania constitutes a danger to the peace and security of the Balkans. This accusation sounds utterly ridiculous. Albania needs peace in order to reconstruct the country which was devastated by six years of war. Moreover, Albania, with a population of about 1,200,000, is the smallest nation in Europe. She cannot afford to commit acts of aggression against Greece, a nation seven times larger in population. True, border incidents have occurred, but they have always been provoked by Greece. The Albanians are the victims, and the Greek fascists and imperialists are the aggressors. The latter want war with Albania in order to grab Southern Albania, which they call Northern Epirus. The dismemberment of Albania has always been one of the tenets of Greek chauvinism. The Secret Treaty of London in 1915, the Titoni-Venizelos agreement of 1919 are there to prove it. (See Annex No. 10). Even now, in 1946, the Greeks have approached Marshall Tito's Government and have tried to win them as a partner in Albania's dismemberment on a footing of equality. The revelations made by Mosha Piyade of Yugoslavia at the Paris Peace Conference confirmed once more what was a well-known fact.

2. According to the Albanian point of view, this state of war does not exist. This Albanian view is shared by the Foreign Ministers of the Big Four Powers as it is indicated in Article XXV of the Draft Peace Treaty with Italy.

3. In accordance with a statement issued by Prime Minister Enver Hoxha on 20 January 1946, the Albanian Government is ready to assume all the obligations deriving from the Charter of the United Nations.

4. In view of the fact that previous regimes, under Italian pressure, had concluded treaties which impaired the independence and sovereignty of Albania, the Congress of Parneti abrogated those treaties on 24 May 1944.

5. Albania recognizes all the treaties in effect prior to 1939, which do not impair the independence and sovereignty of Albania, and is ready to re-examine any or all the above-mentioned treaties, which are in the mutual

interest of the contracting parties with all the states, members of the United Nations, that have recognized or will recognize the Government of the Albanian People's Republic.

6. (a) The report of the twenty-one incidents on the Greco-Albanian frontier, listed on the Annex to Document S/123, is a series of fanciful inventions and fabrications of the Greek Government.

The Albanian Government herewith submits a list of border incidents provoked by the Greeks. (See Annex No. 11).

(b) On 15 May 1946, two unidentified warships were sailing in the direction of the Port of Saranda. After they had entered the Albanian territorial waters, the Albanian Coast Guard signalled to them to identify themselves. As the signals were ignored, the Albanian shore batteries fired warning shots across the bow as is customary under such circumstances. The two ships then hoisted the British flag, turned back, and departed as they had come in silence. The British Government, in a note demanded an explanation. The Albanian Government immediately replied in a friendly note expressing regret for this unwished for incident. The principal reason for this occurrence was that, from time to time, Greek warships had approached the Albanian seacoast and had fired indiscriminately in order to provoke incidents, as is shown on the list of provocations. (See Annex No. 12).

(c) The charges made under this heading are deliberate inventions. There are no concentration camps in Albania. The Albanian Government has received no complaints whatsoever on this subject from any foreign government.

In connection with the foregoing, let me give the following information: There are about 30,000 members of the Greek-speaking minority living in eighty-four villages scattered in the Prefecture of Gjirokastra (Arozozeri). Along with the forces of the Albanian resistance, they took part voluntarily in the War of Liberation, fought bravely against the Italian and German invaders, and gave scores of their best sons as martyrs for the liberation of Albania. They enjoy the rights, guaranteed by the Constitution

to all Albanian citizens, as well as freedom to use their own language and develop their own culture. (See Annex No. 12). They have seventy-eight elementary Greek schools and a high school (gymnasium), all supported by the Albanian State. They publish a newspaper in their own language. They have their own local administrations. Many of them serve as commissioned officers in the Albanian National Army. Some of them are high officials of the National Government. They are represented in the Albanian Parliament by two deputies, namely by Mihal Jorgi of Dropulli and by Mihal Mononi of Pogoni. The latter is Minister of Justice and a member of the Cabinet headed by Premier Enver Hoxha.

On the contrary, the treatment of the Albanian minority of the district of Chamaria, annexed by Greece in 1913, was one of the most inhuman ever known. They have been systematically exterminated or driven out of their homes. Their properties were confiscated without any compensation. Out of an original population of 60,000, there are hardly any Albanians left in that unhappy region. Some 5,000 of them have been ruthlessly massacred by the Greeks during the last year only. Some 22,000, in utter destitution, found refuge in Albania, where they constitute a heavy burden on the budget. About 2,000 of them died of starvation and exposure on their way to Albania. The lot of these unfortunate refugees have attracted the attention of all foreigners who have travelled in Albania. (See Annex No. 13). The UNHRA mission has saved thousands of them. Mr. Hutchinson, member of the British Parliament from Manchester, has told the sad story of these refugees to the House of Commons. He concluded by asking Foreign Secretary Anthony Eden "to make representations to the Greek Government to instigate an inquiry into these atrocities." (See Annex No. 14).

I expect to give the Committee additional information on this subject in the near future.

7. According to the official statement No. 3 of the Central Election Board (issued on 8 December 1945) the results of the Albanian election of 2 December 1945, are as follows:

The total number of electors enrolled was 603,566; the total number of

Electors who cast their vote were 542,400, or 85.86 per cent; the distribution of the votes was as follows:

For the candidates of the Democratic Front 505,304, or 93.16 per cent;
against the Democratic Front 36,816, or 7.79 per cent;
for Independent candidates 108, or .005 per cent.

ANNEX NO. 8

STATEMENT OF THE DELEGATE OF THE UNITED KINGDOM ON
SEVERAL DETAILS IN THE ALBANIAN REPRESENTATIVE'S ANSWER
AT THE TWELFTH MEETING OF THE COMMITTEE

1. The British warships were flying their flags throughout this incident;
2. No signals of any kind had been received from the shore;
3. The first round of high explosive fell astern, and the second had followed within a minute; this was an unconventional form of warning;
4. Several shipping routes passed through the channel in question and his Government could not recognize Albania's right to interfere with the recognized right of innocent passage. The Albanian reply to the British note had been qualified by the condition that shipping should not enter Albanian territorial waters without having fulfilled the necessary formalities and without the permission of the Albanian authorities. This showed a lack of knowledge of international law regarding straits, which affords right of innocent passage both in peace and war for warships and merchant vessels through straits forming routes for international maritime traffic between two parts of the high seas. His Government could recognize no right on the part of the territorial power concerned to demand the fulfillment of conditions before entry into such waters is permitted.
5. The allegation that Greek warships had approached the Albanian coast and had fired indiscriminately was irrelevant and was no justification for firing on British ships.

ANNEX NO. 9

STATEMENT BY THE USSR DELEGATE 20 AUGUST 1946 ON
ALBANIA AT THE FOURTEENTH MEETING OF THE COMMITTEE

An extract from Badoglio's diary published in the Italian newspaper
"Risorgimento Liberale" in October 1940:

"Albanian detachments and troops, writes Badoglio, whose battalions fought
in the ranks of our divisions either proved to be unreliable and performed
acts of sabotage against us or deserted to the Greeks. It was necessary
to remove Albanian troops and partly to disarm them."

The Allied war missions as well as official declarations of the statesmen
of the Big Three Powers, for instance, the declaration of the Three Ministers
of Foreign Affairs (Messrs. Eden, Molotov, and Hull) made in December 1942
expressed delight and praise to the fighting Albanian people for their great
contribution to the common cause of victory (texts of these statements are
given in the information of the Secretary-General).

For instance, one may also mention the statements of such representatives
of the Allied military authorities as Maitland Wilson, Commander-in-Chief of
the Mediterranean forces, who, in the letter dated 12 October 1944 to General
Enver Hoxha, Commander-in-Chief of the Albanian People's liberating army,
recognized the important role of this army in the fight against Italian and
German troops. I am quoting the letter:

"My dear General,

"I have received with sincere gratitude your letter, which was sent
through Colonel Palmer. With admiration I remarked the achievements of
your national liberating army in her tremendous efforts against our
common enemy in our common affair."

The other representative of English Supreme Command, Vice Marshal of
Aviation William Elliot, in his letter addressed to General Enver Hoxha on
5 August, 1944 wrote:

"We followed with great sympathy and admiration your tremendous efforts,
which you and your gallant troops are undertaking in common struggle."

Other representatives of Allied command, for example, English officers Colonel Maklin, Colonel Palmer, Colonel Seymon, Major Smith, American officer Toma Stephan, and others also admired the unexampled heroism and courage of the Albanian national liberating army.

During the whole period of the war, which had no precedent in the history of humanity, the Albanian people, devoted to the principles of the United Nations coalition, followed them in their national liberating movement and felt themselves indissolubly connected with all fighting peoples.

The Albanian people followed this feeling when in the winter of 1940-1941 they helped Grecian troops in their gallant struggle against fascist aggressors. During the whole war the units of Albanian liberating army operated together with fighting democratic forces of neighboring countries in any possible case. After the complete liberation of the national territory, Albanian troops began to pursue the Hitlerite troops in Yugoslavia and covered themselves with glory, fighting shoulder by shoulder with Marshal Tito's heroic partisans in Montegrine, Bosnia, and Hertsegovina.

Immediately after the liberation, Albania devoted itself to the reconstruction of destroyed national economy and to organization of the national government on the basis of the widest democratic principles according to the decisions of the anti-fascist Congress of the National liberation, which was held at town of Permety on May 1946. Democratic election to the Constituant Assembly took place on 2 December 1945.

ANNEX NO. 10

SECOND MEMORANDUM OF THE PEOPLE'S REPUBLIC OF ALBANIA

PART I

The Greek Ambassador, Mr. Vasili Dendramis, in his memorandum to the United Nations dated 5 August 1946, makes a number of charges which sound rather fanciful to those acquainted with the real facts.

1. He claims that the Italian occupation of Albania in 1939 was unopposed and that the Albanian resistance movement began only in 1943. As a matter of fact, the Albanian struggle against fascism and nazism began on the very day of the Italian invasion, on Good Friday, 7 April 1939, and ended only when the last German was driven out of the country in December 1945. Already in 1942 the heroic efforts of the Albanian guerrilla fighters had attracted the attention of the Big Three. On December 10 of that year Secretary of State Cordell Hull issued an official statement commending the Albanians for their heroic struggle. (See Annex No. 1). Similar statements were issued in the same year by Foreign Secretary Anthony Eden of Great Britain and by Foreign Commissar Vyacheslav Molotov of Russia.

2. Ambassador Dendramis maintains that Albania declared war against Greece on 10 July 1940. This is not true. The war against Greece was declared by King Victor Emmanuel of Italy who had assumed the title of King of Albania and by the Albanian Quisling, Premier Shefqet Verlaci, imposed on Albania after the Italian occupation of 1939. Neither King Victor Emmanuel nor his Quislings had any right to speak for the Albanian people. This view is confirmed by the draft treaty of peace with Italy, which was lately approved by the Council of Foreign Ministers in Paris. According to Article XXV of this treaty all acts of the authorities in Albania installed by Italy from April 1939 to September 1943, are null and void. (See Annex No. 2).

3. The Greek Ambassador goes on to say that fourteen Albanian battalions of regular forces and several thousands of irregulars,

raising the total to approximately twenty thousand fought with the Italians against the Greeks in 1940-1941. Mr. Dondramis seems to forget that after the Italian occupation of 1939 the Albanian War Office was abolished and the Albanian Army was disbanded. It was replaced by the Italian Army of Occupation, with a sprinkling of Albanians recruited by force. How these Albanians fought against the Greeks is eloquently told by Mussolini himself in a letter to Hitler. The Albanians deserted en masse. (See Annex No. 3)

4. The Greeks claim Southern Albania or Northern Epirus as they call it, on historical, ethnological, strategical and juridical grounds. In the first place, it is rather anachronistic to speak of Greek strategic grounds in our atomic age. Historically, that region never formed part of Greece. Juridically, it was awarded to Albania by the treaties of London in 1913 and of Paris in 1921. Ethnologically, it is overwhelmingly Albanian with a negligible Greek minority of about 30,000, that is to say only ten percent of the entire population. The members of this minority enjoy all the rights which are guaranteed to all the citizens, as well as freedom to use their own language and to develop their own culture. (See Annex No. 4, Article 35). They have 78 grammar schools for their 84 villages and a High School in Argirocastro. They publish a newspaper in their own language in that city. They are represented in the Albanian Parliament by two members one of whom, Manual Konemi, is the Minister of Justice. On the contrary, the treatment of the Albanian minority of the Chameria district, annexed by Greece in 1913 has been one of the most inhuman ever known. Out of an original population of about 60,000 there is hardly a single Albanian left in that unhappy region. They have been systematically exterminated or driven out of their homes. Only during the last year about 5,000 of them have been massacred. About 27,000 of them have found refuge in Albania and constitute a heavy burden on the budget.

5. The contention of Mr. Dondramis that imperialistic and fascistic Italy prevented Greece from acquiring Southern Albania in 1920 is refuted by the facts. Imperialistic Italy had already ceded Northern Epirus to

Greece in the secret treaty of 1915, which partitioned Albania among her neighbors and gave Italy the lion's share including the port of Valona and its hinterland. It was President Wilson who denounced that treaty in 1920, who vetoed its ratification by the Supreme Allied Council, and who saved Albania from dismemberment. The Albanians themselves did the rest. Single-handed, they chased the Italians out of Southern Albania and Valona. Fascistic Italy with Mussolini came two years after, in 1922, when Southern Albania had already been liberated from both Greeks and Italians. The Greeks had a very good occasion in 1926 to grab that region. They missed it. They were busy with another imperialistic war in Anatolia where they and their pro-German King Constantino suffered a disaster they well deserved.

6. The charge that the Albanian government is undemocratic is contradicted by the facts. This government is composed of the most democratic forces of the country who liberated Albania from the Italian and German invaders. It was inaugurated by the Congress of Pezmeti on 24 May 1944, and it was confirmed by the Constituent Assembly, which was elected on 2 December 1945, by free elections, by universal suffrage and by secret ballot. This Constituent Assembly declared Albania a Republic and passed the constitution, which is one of the most democratic ones in Europe. (See Annex No. 4). The Albanian government enjoys the confidence of the people and has proved to be one of the most stable and efficient governments in post-war Europe. The exact contrary may be said of the present Greek government which came to power by fraudulent elections and does not represent the Greek people at all.

7. The Albanians are accused of persecuting the Roman Catholic Church. On the contrary, they are noted for their religious tolerance. Moslems, Roman Catholics and Eastern Orthodox live side by side and enjoy freedom of worship, which is guaranteed to them by the Constitution (see Annex No. 4, Article 15). Though the majority of the population is Moslem, several of their Prime Ministers have been Christians, and one of them was Bishop F. S. Noli of the Eastern Orthodox Church. Moreover, the head of the Albanian delegation to the United Nations, Colonel Tuk Jekova, is a Roman Catholic.

8. The most extraordinary charge made by Ambassador Dendramis is that Albania constitutes a danger to the peace and security of the Balkans. This contention sounds rather ridiculous. Albania, with a population of about 1,200,000, is the smallest nation in Europe. She cannot afford to commit acts of aggression against Greece, a country seven times larger in population. True, border incidents have occurred, but they have been always provoked by Greece. The Albanians are not the aggressors but the victims. The best evidence that the Albanians want to live in peace with their neighbors is to be found on the Yugoslav-Albanian frontier. It is more than twice as long as the Greek-Albanian frontier, and yet not a single incident has ever occurred since the liberation of the two friendly neighboring countries.

ANNEX NO. 1 to ANNEX NO. 10

CORDELL HULL'S STATEMENT

(Dec. 10, 1942)

The Government of the United States is not unmindful of the continued resistance of the Albanian people to the Italian forces of occupation. The effort of the various guerrilla bands operating against the common enemy in Albania is admired and appreciated. The Government and the people of the United States look forward to the day when effective military assistance can be given these brave men to drive the invader from their homes. Consistent with its well-established policy not to recognize territorial conquest by force, the Government of the United States has never recognized the annexation of Albania by the Italian Crown. The joint declaration of the President and the British Prime Minister, made on 14 August 1941, known as the "Atlantic Charter" provides as follows: "Third, they respect the right of all peoples to choose the form of government under which they live, and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them." The restoration of a free Albania is inherent in that statement of principles.

ANNEX NO. 2 to ANNEX NO. 10

TEXT OF DRAFT OF THE ITALIAN TREATY

(New York Times, 27 July 1946)

SECTION V. ALBANIA

ARTICLE XXI. Italy recognizes and undertakes to respect the sovereignty and independence of the state of Albania.

ARTICLE XXII. Italy recognizes that the island of Sasseno is part of the territory of Albania and renounces all claims thereto.

ARTICLE XXIII. Italy formally renounces in favor of Albania all property (apart from normal diplomatic and consular premises), rights, interests, and advantages of all kinds in Albania acquired by the Italian State, whether before or after 1939. Italy also renounces all claims to special interests or influences in Albania.

ARTICLE XXIV. Italian nationals in Albania will enjoy the same juridical status as other foreign nationals, but Italy recognizes the legality of all Albanian measures annulling or modifying concessions or special rights granted to Italian nationals, provided that such measures are taken within a year from the coming into force of this treaty.

ARTICLE XXV. Italy recognizes that all agreements and arrangements be made between Italy and the authorities in Albania installed by Italy from April 1939 to September 1943, are null and void.

ARTICLE XXVI. Italy recognizes the legality of any measures which Albania may consider it necessary to take to confirm or give effect to the preceding provisions.

ANNEX NO. 3 to ANNEX NO. 10

LETRE DE MUSSOLINI A HITLER (1)

22 Novembre 1940

Fuhrer

Je regrette que ma lettre du 19 Octobre ne soit pas arrivée a temps pour que vous puissiez me donner votre avis sur l'expédition projetée contre la Grèce; avis auquel je ne serais étroitement conformé, comme en d'autres occasions.

La progression des armées italiennes en Grèce qui, au début, a été rapide et encourageante; s'est arrêtée et les forces grecques ont pu prendre l'initiative. Cet état de choses est dû, fondamentalement, a trois raisons:

1 - Le mauvais temps: des pluies violentes ont retardé l'avance des colonnes motorisées: Une division blindée a été littéralement ensevelie dans la boue.

2 - L'attitude de la Bulgarie qui a permis aux Grecs de retirer de Thrace huit divisions pour les amener en renfort contre nous:

3 - La défection presque totale des forces albanaises qui se sont mutinées contre nos unités. Rien que dans une de nos divisions, il a fallu désarmer et renvoyer a l'arrière 6,000 albanais:

(1) PARIS-PRESSE (14 Novembre 1945):

-CORRESPONDANCE HITLER -

MUSSOLINI

PART II

Since Ambassador Dendramis in his second memorandum repeats charges which I have already answered, I shall limit myself to answering only the following statements:

1. New incidents: Mr. Dendramis gives a new list of ten incidents. These incidents, like the old ones he cites, are pure inventions and distortions of the real facts. In each and every case, the Greeks have been the aggressors, and the Albanians have been the victims. In this connection, I must emphatically deny the Greek accusation based on alleged testimony given before the Court Martial of Janina on 5 August to 8 August 1946, according to which the armed anti-governmental movement in Greece is allegedly organized in Albania by Albanian officers. The Albanian Government has never interfered in the internal affairs of Greece.
2. Mr. Dendramis gives a fanciful sum total of the Albanian armed forces of 75,000. It goes without saying that Albania cannot possibly support such a large army. The Albanian Republic has only a small armed force to maintain order and guard the frontier. This army is too small for any aggressive purposes against Greece which is seven times larger than Albania.
3. Roman Catholic Persecutions: Mr. Dendramis repeats the accusation of alleged persecutions of Roman Catholics in Albania. The Albanian courts have tried and convicted a certain number of war criminals who collaborated with the fascist and nazi enemies. The trials were public and the accused were given full opportunity to defend themselves by using defense counsel. They were convicted after due process of law and received various punishments, ranging from imprisonment and capital punishment. But none of these war criminals was convicted because of his creed. No religious discrimination was made against the Roman Catholic, Moslem, or Eastern Orthodox collaborationists.
4. According to Mr. Dendramis, the former Bishop Pendeleimon Kotoko of Argyracastro was expelled by the Albanian Government. This is not true. Bishop Pendeleimon Kotoko did not wait to be expelled. He left his

Episcopal See in Albania and departed with the retreating Greek Army in 1941.

5. According to Mr. Dendramis, the alleged Albanian persecutions of the Greek minority have changed the ethnographic character of the Southern Albania or, as the Greeks prefer to call it, Northern Epirus. We have Turkish statistics which prove that the ethnographic character of Southern Albania was the same before the creation of the Albanian states in 1913. Quoting from Joseph Swire's book, Albania, the Rise of a Kingdom, Richard R. Smith, 1929, p. 166, says:

"H. Venizolos claimed that in Northern Epirus there were 120,000 Greeks and 80,000 Albanians. But in the above-mentioned Turkish census, the figures given for this area were 120,000 Christians and 170,000 Moslems."

Mr. Swire continues:

"Although France had always favoured Greek aspirations, a map in 1915 by the (French) Ministry of War, marking the distribution of races and religions in Albania, shows that Northern Epirus was considered overwhelmingly Albanian and preponderantly Moslem. This was confirmed by the report of the Commission of Inquiry sent to Albania by the League of Nations."

In its report, (1922) this Commission, said that there is "no doubt that the great majority of the population is in favor of the present (Albanian) regime and constitutes an important factor in the Albanian nationalist movement." The report concluded: "The existence of an independent Albania is a necessity to the peace of that part of Europe and that an independent Albania is only possible if Southern Albania with Korcha and Gjinokastru are included."

ANNEX NO. 11

STATEMENT BY THE DELEGATE OF THE U.S.S.R.

The Mongolian People's Republic was a very young, independent, democratic country. Although only twenty-five years old, she had managed to contribute greatly to the common struggle against Fascist aggression and Axis power. Mongolia had suffered from Japanese aggression for many years prior to Pearl Harbor. From 1931 on, the Republic actively took part in the struggle and struck many blows together with the Red Army against the Japanese. Military actions had occurred in the Khalkha-Hoshoin Sume (Harha Sumo) district in 1935 and in Khalkha-gol in 1939. In consequence, acts of the Mongolian People's Republic had contributed much to preventing Japanese aggression from spreading further into the Soviet Union and China. They showed that the Republic took part in the struggle against Japan long before the Second World War in which she participated.

On 22 June 1941 the Government through the Presidium chosen by the Little Hural decided to stand on the side of the democratic countries against the fascist aggressors. To implement this decision the Republic sent material help to the Red Army. This help took the form of horses for the Red Cavalry, some agricultural goods, some ammunition, as well as the organization of a Tank Brigade and an Aviation Brigade which fought on the Western front, during the whole period of the Second World War.

Between 1935 and 1945 this Republic opposed Japanese expansion over her borders. More than two thousand men were killed or captured.

On 10 August 1945 she declared war against Japan and participated actively on the side of the United Nations. Thus she fought against fascist aggression not only in the West but in the East as well. Some eighty thousand soldiers and officers of her own army took active part. They advanced one thousand kilometers against the Japanese and freed several Manchurian cities and districts such as Chjubay (Western Manchuria) and Jehol. The material losses of the army alone amounted to \$50,000,000.

At the end of 1945 the Mongolian People's Republic held a plebiscite in which almost one-half million voters took part. They voted almost unanimously for the independence of Outer Mongolia, and an official Chinese Government observer declared his complete satisfaction with the democratic methods under which the plebiscite was conducted. Therefore he, as the Soviet representative, was quite surprised that the representative of China wished to postpone the admission of this Republic on the grounds of its youth and possible unreadiness to become a full member of the United Nations. The Republic was not one year but twenty-five years old. The regime was a stable democratic one which could undertake the full obligations of the Charter. She had proved this ability in her lengthy common struggle with other nations against Fascist aggression.

ANNEX NO. 12

TO: H.E. THE MINISTER FOR FOREIGN AFFAIRS, MONGOLIAN PEOPLE'S REPUBLIC,
ULAN BATOR.

I HAVE BEEN ASKED BY THE CHAIRMAN OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS TO INFORM YOU THAT DURING THE EXAMINATION OF THE MONGOLIAN PEOPLE'S REPUBLIC APPLICATION FOR MEMBERSHIP IN THE UNITED NATIONS SEVERAL POINTS HAVE BEEN RAISED BY VARIOUS MEMBERS OF THE UNITED NATIONS. THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS WOULD APPRECIATE IT IF YOU WOULD BE KIND ENOUGH TO SUPPLY ADDITIONAL INFORMATION ON THE FOLLOWING POINTS TO ASSIST THE COMMITTEE IN PREPARING ITS REPORT:

1. WHAT IS THE PRESENT EXTENT OF MONGOLIA'S FOREIGN RELATIONS INCLUDING POLITICAL ECONOMIC SOCIAL AND CULTURAL?
2. WHAT IS THE ATTITUDE OF THE MONGOLIAN GOVERNMENT REGARDING THE DEVELOPMENT OF HER FOREIGN RELATIONS AND IN PARTICULAR THE ESTABLISHMENT OF DIPLOMATIC OR CONSULAR REPRESENTATIVES?
3. WHAT COUNTRIES OTHER THAN THE SOVIET UNION AND CHINA HAVE HITHERTO PROPOSED TO ENTER INTO DIPLOMATIC OR CONSULAR EXCHANGES WITH THE MONGOLIAN PEOPLE'S REPUBLIC, AND WHAT REPLIES HAVE BEEN GIVEN?
4. IT WOULD ALSO ASSIST THE COMMITTEE IF IT COULD BE GIVEN MORE DETAILED INFORMATION CONCERNING:
 - a) THE CONSTITUTION OF THE MONGOLIAN PEOPLE'S REPUBLIC AND OTHER PERTINENT FACTS RELATING TO ITS SYSTEM OF GOVERNMENT AND THE CONDUCT OF ITS FOREIGN RELATIONS.
 - b) THE BUDGET, PARTICULARLY THE APPROPRIATION IN RESPECT TO INTERNATIONAL AFFAIRS.

THE ASKING OF THESE QUESTIONS IS NOT IN ANY WAY AN EXPRESSION OF OPINION BY THE COMMITTEE ON THE MONGOLIAN PEOPLE'S REPUBLIC'S APPLICATION.

AN EARLY REPLY WOULD BE APPRECIATED.

A. JOBOLOV
ACTING SECRETARY-GENERAL

ANNEX NO. 13

15 August 1946

Sir,

I have been asked by the Committee of the Security Council which is examining applications for admission to the United Nations to request the Government of the Mongolian Peoples' Republic, with which it maintains diplomatic relations, whether it has received the Committee's telegram of 31 July and 12 August 1946. The telegram of 31 July requested the Mongolian Peoples' Republic to appoint a representative of New York to whom the Committee might address any questions it thought necessary concerning the application of the Mongolian Peoples' Republic for membership in the United Nations. The telegram of 12 August 1946, a copy of which is enclosed, requested additional information on certain points to assist the Committee in its work.

I have the honour to request Your Excellency to inform your Government of the above request as soon as possible.

I have the honour to be,

Sir,

Your obedient Servant,

TRAYCBE LIE
Secretary-General

H.E. Mr. A. A. Gromyko
Representative of the U.S.S.R. on the Security Council
7 East Sixty-First Street
New York, N. Y.

ANNEX NO. 14.

STATEMENT BY THE DELEGATE OF THE UNITED KINGDOM ON TRANS-JORDAN

The delegate of the United Kingdom stated that:

"His Majesty's Government in the United Kingdom desire to support the application of Transjordan for membership of the United Nations.

"The Memorandum which the Secretariat have prepared for us with regard to Transjordan gives some account of the situation of that country under the joint Mandate for Palestine and Transjordan, and states that under the so-called "A" Mandates, of which this was one, the responsibility of the mandatory power consisted mainly of developing the capacity of the countries concerned to govern themselves, and establishing their economic system and social and other institutions in order to fit them to take their position as independent nations. It also recalls the distinction made in this particular mandate between the lands lying to the west and to the east of the River Jordan; and the approval by the Council of the League in September 1922 of my Government's memorandum which proposed among other things, a separate administration in Transjordan, the land lying to the East. As stated in the Secretariat's memorandum, the Foreign Secretary on 17 January of this year spoke in the General Assembly of the United Nations of the intention of His Majesty's Government in the United Kingdom to take steps in the near future for establishing Transjordan as a sovereign independent state and for recognizing its status as such. Again, the Memorandum reminds us that on 9 February, the General Assembly, containing representatives, naturally, of all the countries represented round this table, unanimously adopted a resolution welcoming, among other declarations made, the declaration by the Foreign Secretary of the intention of His Majesty's Government in the United Kingdom - to quote the words of the resolution - 'in respect of Transjordan to establish its independence'. I only make this recital of facts because I understand that certain unofficial sources have recently suggested (not, however, to me) that the separation of Transjordan from Palestine and the establishment of its independence are in some way illegal. The Secretariat's Memorandum goes on to outline the provisions of the Treaty of Alliance between Transjordan and the United Kingdom, dated 22 March of this year - to which I will return briefly later. At this point, however, and in connection with the mandate, I should like to make good what seems to me to be a serious omission in the account of events contained in the Secretariat's Memorandum. On 18 April of this year, the Assembly of the League of Nations (on which, once more, many of the nations here were represented - I think, with the exception of the Soviet Union and the United States) adopted unanimously (with one abstention, that of Egypt) the following resolution:

'The Assembly recalls the role of the League in assisting Iraq progress from its status as a mandate to a condition of complete independence, and welcomes the termination of the mandated status of Syria, the Lebanon and Transjordan, which have, since the last session of the Assembly, become independent members of the world community.'

Here I would add that if the recognition of her independence had been completed at the operative date, Transjordan would have qualified for admission to the United Nations as one of the foundation members on the same footing as Syria and the Lebanon; and now that her independence has been recognized, it seems to my Government that she has an equally strong claim for membership as those two states.

"At previous meetings we have heard from our Soviet colleague, in support of the applications of Albania and Mongolia, accounts of the war efforts of those two countries. The first dealt, of necessity, largely with the underground activities of irregulars during the Italian occupation, supplemented later by further and more detailed information. The second provided us with such general information as that Mongolia gave material help to the Red Army which, I think it was stated, bore the brunt of the war against Germany, and the particular information that eighty thousand officers and men were provided by Mongolia in the war against Japan, from 10 August 1945 onward. If this information was relevant in these two previous cases - and I think it was - then I think it may also be relevant to our present discussion if I give some account, as it is known to me, of Transjordan's war effort. If I may say so without unduly stressing the point, Transjordan's war effort seems to receive rather less than adequate mention in the Secretariat's Memorandum. Indeed, all that appears in the Memorandum is that on 4 October 1939, the Government of Transjordan proclaimed Germany to be an enemy country; it did not, however, declare war'.

"In case it has been forgotten, therefore, I would recall that Transjordan voluntarily contributed a military force, the Arab Legion, composed entirely of Transjordan Arabs except for a few British officers; and this force served as a fighting unit with considerable credit for example, in the Syrian campaign, and also in the campaign in Iraq in the spring of 1941, a critical period of the war for my country, and - without labouring the point of who was bearing the brunt then - a critical period of the war ultimately for us all. My colleagues will recall no doubt that a rebellion had been fostered in Iraq at that time by Axis agents, and had assumed proportions menacing to the Allied war efforts.

"To return, however, to the present. The administration of Transjordan is economically independent and all expenditure on administrative and social services and on public security is met from local revenue, provision for both revenue and expenditure being made in a budget law, passed by the elected legislative councils. With regard to the Treaty of Alliance between Transjordan and the United Kingdom, to which I have already referred, the terms are open and known to all. It provides for a close military alliance between the two countries, under which the Transjordan army undertakes certain commitments in connection with the safeguarding of communications. In return, His Majesty's Government in the United Kingdom have undertaken to assist Transjordan to meet the cost of the latter's armed forces, the strength of which is a matter for agreement between the two Governments. This assistance is in the nature of a reimbursement of expenditure which Transjordan would not otherwise have been called upon to bear. I would also draw attention to Article 12 of the Treaty of Alliance (which is not, as a matter of fact, mentioned in the Secretariat's Memorandum) where it says specifically: 'Nothing in the present Treaty is intended to, or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Charter of the United Nations.'

"In all the circumstances described above, I wish to say that my Government have full confidence in the peace-loving character of this state. They note that in his letter to the Secretary-General of 26 June last, the Transjordan Minister of Foreign Affairs declared the willingness of his country to undertake the obligations of the Charter; and the full confidence that Transjordan is able and willing to carry them out."

ANNEX NO. 15.

ADDITIONAL STATEMENT BY THE DELEGATE OF THE UNITED KINGDOM.

In your declaration of 14 August as Polish representative expressing your Government's doubts as to eligibility of Trans-Jordan, you made a number of statements on which, as representative of His Majesty's Government in the United Kingdom, I should like to be allowed to comment.

In the first place, you spoke of the conditions which must be fulfilled under the Covenant, before a mandate could be brought to an end, and went on to say, if I understood you correctly, that it was "a long way" between the General Assembly welcoming the intention of His Majesty's Government in the United Kingdom to establish the independence of Trans-Jordan and the recognition of that country as a sovereign state. You then referred to Chapter 12 of the Charter, and in particular Article 77 thereof which you quoted in part, and concluded with the following sentence "It seems that it (by which you meant the trusteeship system) applies to Trans-Jordan". In fact you used the phrase twice. I have since questioned you on the precise meaning of this statement and you have emphasized that you only said that "it seems" that trusteeship applies. So far as I know you have not actually said that in the view of the Polish Government trusteeship does apply to Trans-Jordan. But you have used the rather vague statement to which I have referred as a basis for your main argument that Trans-Jordan, in contrast, for example, to the Mongolian People's Republic, is not yet eligible for membership. I do not want, unless I must, to go over ground that has already been covered in my earlier statement. But in the first place I would say that my Government utterly rejects what appears to be your interpretation of Article 77 of the Charter. This Article is not mandatory. It reads: "The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements: (a) territories now held under mandate." As early as 17 January, in an address before the General Assembly of the United Nations, the British Foreign Secretary made a statement in which he spoke of the intention of His

Majesty's Government in the United Kingdom to take steps in the near future for establishing Trans-Jordan as a sovereign independent state and for recognizing its status as such. "In these circumstances," he stated "the question of placing Trans-Jordan under a trusteeship does not arise." The subsequent resolution of the General Assembly on 9 February, of which all my colleagues know, welcoming the declarations made by certain States administering territories held under mandate of an intention to negotiate trusteeship agreements in respect of some of these territories and in respect of Trans-Jordan to establish its independence, is regarded by His Majesty's Government in the United Kingdom as an unanimous endorsement of His Majesty's Government's intention to bring Trans-Jordan to immediate independence and not to turn the mandate into trusteeship. Nothing was said at the time to suggest any other possible interpretation of this resolution; and I do not think even you have suggested that the Polish Government were unaware on 9 February of Mr. Bevin's statement of 17 January, in which he specifically stated that there was no question of placing Trans-Jordan under trusteeship. It seems to me anyhow from the actual working of the Assembly resolution - which I notice you did not quote in full - that it was in fact quite clearly recognized by those who adopted it that Trans-Jordan was not to be placed under trusteeship - in contrast to certain other territories.

There is however a further argument in your declaration to which I would call the Committee's attention. You have stated, as I have said, that "It seems that the trusteeship system applies to Trans-Jordan." In case, however, that was not sufficient to debar her from membership, you also called into question the real meaning of yet another resolution, to which your Government were a party, this time the League Assembly resolution of 18 April. I will leave till later any remarks on the normality or otherwise of this kind of procedure, but the plain and straightforward meaning of the League Assembly resolution is precisely what it says. Here it is:

"The Assembly recalls the role of the League in assisting Iraq to progress from its status as a mandate to a condition of complete independence, and welcomes the termination of the mandated

status of Syria, the Lebanon and Trans-Jordan, which have, since the last session of the Assembly, become independent members of the world community."

If that does not mean that in view of the Assembly the mandated status of Trans-Jordan has been terminated, I do not know what it does mean. If a territory "has become" an independent member of the world community then it cannot logically, conceivably, be considered as still under mandate, nor does Chapter XIII of the Charter apply to it at all. You are not also, I presume, questioning whether the mandated status of Syria and the Lebanon has been properly terminated. Your attention was focussed on Trans-Jordan; and there is yet further argument, to which I have referred briefly before, contained in the following sentence. I quote your words, "I am fully convinced that the majority of the representatives on the Assembly in Geneva on 18 April had no knowledge of the text of the Treaty concluded in London on 22 March between the United Kingdom and Trans-Jordan, and in particular of the text of the Annex to this Treaty." The implication stated more specifically below in your declaration is that if they had they would not have recognized the establishment of Trans-Jordan as an independent state. When I questioned you on this at a later meeting, I understood you to say that you did not think your Government were aware of the terms of the Treaty; and you referred to the difficulty of communications. Are you speaking for your Government when you say that they were unaware of the terms of the Treaty when they agreed to the resolution of 18 April? Or are you just making a rather vague suggestion that they may not have received the text of the Treaty in time, (it was published, incidentally, on 29 March, a week after its signature and twenty days before the League resolution). I think that if this Committee are to take such statements as a basis for doubts about the validity or otherwise, of a Government's support of a resolution, then we are entitled to more exact information. You spoke of being "fully convinced" that the majority of those on the League Assembly had no knowledge of the terms of the Alliance and its Annex. I assume, though you did not say so, that this majority in your view

included the Polish Government. But, I repeat, you have never actually said so. I would like to suggest that in any case the representative of Poland has no right at all to speak for the other Governments' members of the General Assembly of the League of Nations, and that for the purposes of this Committee your "full confidence" that the majority of the members of the Assembly were ignorant should carry no especial weight. I am certainly speaking for my Government when I say that they find this particular kind of argumentation in support of what seems to us to be a contradiction of a previous resolution highly unusual.

Let us be quite frank in this matter. Whatever may have been meant by the Polish declaration, - and I emphasize that, of course, I am imputing no such motives to you or your Government - it cannot be denied that the impression may be gained from reading the remarks which it contains, that my Government had rushed through the Treaty of Alliance in such a way that delegations present at the League Assembly on 18 April were not aware of its terms. "In particular," whatever that may mean, that they were not aware of the terms of the Annex. Is it perhaps suggested that the Annex - which is a matter of fact mentioned in the Treaty - was somehow kept secret and concealed, even when the Treaty itself was published? In any case, I need not say that His Majesty's Government would vigorously reject any such imputations as these.

Finally, my Government do not admit the alleged connection between the application of Trans-Jordan for membership of the United Nations, and the situation in Palestine. The fact that, during his statement to the Assembly of 17 January on Trans-Jordan, Mr. Bevin also mentioned the necessity for waiting for the Anglo-American Committee's report on Palestine before putting forward any proposals relating to the future of that country, really does not seem to me, if I may say so, to have any relevance to the present discussion.

ANNEX NO.16

STATEMENT OF THE DELEGATE OF POLAND ON THE APPLICATION
FOR MEMBERSHIP OF TRANS JORDAN

I should like to make two or three remarks in respect to the application of Trans Jordan. As I have already said before this Committee, this application raises certain doubts in the Polish Delegation's mind. These doubts are rather of a legal nature, and first of all I should like to point out that my statement contains no allegation against the Trans Jordan people and its Government. The Polish Delegation to the General Assembly in London voted favourably for the Resolution adopted on 11 February which in its third paragraph "welcomes the declaration...of an intention...in respect of Trans Jordan to establish its independence."

Similarly the Polish Delegation to the last Assembly of the League of Nations voted for the Resolution quoted here in part by the United Kingdom Representative a few days ago, which in its second section "...welcomes the termination of the mandated status of Trans Jordan..."

My country always recognized all tendencies towards emancipation of the dependent countries. In particular we have looked with deep sympathy upon the tendencies of the Arab peoples, with their ancient culture and unconquerable spirit under foreign rule. But at the same time Poland, as a Member of the late League of Nations and now of the United Nations, is bound by the rules established by these organizations, bound by some conditions which must be fulfilled, I think, for the benefit of Trans Jordan as well as of all the United Nations.

Trans Jordan - quoting the words of the British Delegate to the Permanent Mandates Commission in 1927 - is "a part of an area under the authority of the Palestine mandate. Under the Covenant of the League of Nations and the rules elaborated by the Permanent Mandates Commission approved by the Council in 1931, certain conditions must be fulfilled before the mandate's regime can be brought to an end in respect of a country placed under that regime. It can be settled only by "careful

observation, continued over a sufficient period"; further, "in any case the following conditions must be fulfilled:

...b) it (the country) must be capable of maintaining its territorial integrity and political independence.

c) It must have at its disposal adequate financial resources to provide regularly for normal governmental requirements."

I do not think that the rules elaborated by the League of Nations can be omitted in respect to the establishment of the independence of Trans Jordan. The Resolution adopted in London welcomes the intention of establishing independence, but it is a long way from welcoming the intention to the recognition of a country under a mandate as a sovereign state. This way consists of the fulfillment of some conditions, confirmation of some facts, and accomplishment of some legal stipulations. It cannot be shortened by the unilateral decision of an administering state even if its "intention" is welcomed by the General Assembly.

In regard to this question I should like to draw your attention to Chapter 12 of the Charter and particularly to its Articles 77, 78 and 80.

1) Article 77 states:

"1. The trusteeship system shall apply to such territories in...the following categories as may be placed thereunder by means of trusteeship agreements:

a) territories now held under mandate; ..."

It seems that it applies to Trans Jordan.

2) Article 78 states:

"The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality."

As Trans Jordan was not a Member of the United Nations when the Charter came into force, and still is not a Member, it seems that the trusteeship system applies to it.

3) Article 80 states:

"1. except as may be agreed upon in individual trusteeship agreements...nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties...."

I am sure that the Representatives of fifty-one nations on the General Assembly, the majority of which were parties to the Covenant of the League of Nations were fully aware of the stipulations of this Article and had no intention, contrary to the Charter, when they voted upon the Resolution mentioned above.

There is another argument in Mr. Lawford's statement, namely the Resolution adopted in Geneva on 18 April. I cannot agree that we may consider the second section of this Resolution, which also "welcomes the termination of the mandated status of...Trans Jordan", as a legal act terminating the mandate in accordance with Article 22 of the Covenant of the League, especially in the light of the third and fourth sections of the same Resolution which state:

"3. Recognizes that, on the termination of the League's existence its functions with respect to the mandated territories will come to an end, but notes that Chapters XI, XII and XIII of the Charter of the United Nations embody principles corresponding to those declared in Article 22 of the Covenant of the League;

4. Takes note of the expressed intentions of the Members of the League now administering territories under mandate to continue to administer them for the well-being and development of the peoples concerned in accordance with the obligations contained in the respective Mandates, until other arrangements have been agreed between the United Nations and the respective mandatory Powers."

There is one more point. I am fully convinced that the majority of

the Representatives on the Assembly in Geneva on 18 April had no knowledge of the text of the Treaty concluded in London on 22 March between the United Kingdom and Trans Jordan and in particular of the text of the Annex to this Treaty. Had they known about this text, I presume that they would share the opinion expressed by Secretary of State Mr. Byrnes on 23 April five days after the adoption of the above Resolution. Mr. Byrnes stated that "It would be premature for the United States Government to take any decision with respect to the question of recognition of Trans Jordan as an independent state."

The Polish Delegation is of the opinion that the Treaty of 22 March, considered as concluded between the mandatory and "the territory desirous of emancipation is contrary to the spirit of the Charter, and moreover it is contrary to the conditions elaborated by the Council of the League of Nations. I would like to recall that our Egyptian colleagues made reservations in regard to this Treaty. Such stipulations of the Treaty as the stationing of British armed forces in Trans Jordan, storage of supplies and ammunition, facilities for training of the armed forces, financial assistance to cover the cost of the Trans Jordan army and especially of the right of supervision of such funds, can hardly be regarded as being in conformity with conditions demanding that "states must be capable of maintaining its territorial integrity and political independence", and that "it must have at its disposal adequate financial resources to provide regularly for normal governmental requirements."

All these stipulations of the Treaty give no impression that Trans Jordan is considered as a sovereign state, but rather like a country whose certain sovereign powers are restricted, and cannot be regarded as fully emancipated and as capable of carrying out the obligations of the Charter.

I repeat, that we have no intention of opposing the independence of Trans Jordan. But in our opinion this independence does not yet exist either de jure or de facto, and for these reasons we consider the admission of Trans Jordan to the United Nations as premature. In our opinion the decision on this application should be postponed until next year.

There is one more reason for such a conclusion. The question of Trans Jordan is connected with the whole mandate of Palestine. In the same statement in which Mr. Bevin gave notice of the intention of the British Government to recognize the independence of Trans Jordan, he declared that it was necessary to await the Anglo-American Committee Report before putting forward any proposals relating to the future of Palestine. We are all aware of the recent developments of this problem and we know the Palestine question is one of the most difficult in international relations. I am afraid that any hasty decision concerning Trans Jordan will only complicate this tragic problem, and it seems to me that the postponement of this application will be for the benefit of all the United Nations.

ANNEX NO. 17

ADDITIONAL STATEMENT BY THE DELEGATE OF POLAND

In view of the declaration of August 19th made by Mr. Lawford, I want to add a few remarks to my previous statement concerning Trans-jordan. The main question is whether the establishing of independence of Trans-jordan was made legally. Article 22 of the Covenant of the League of Nations defines the responsibility of the Mandatory Country and states that the Council of the League of Nations has control over the way in which Mandatory Country exercises its authority. Similarly, "general conditions" which must be fulfilled before the Mandate Regime can be brought to an end, states that "guarantees to be furnished by the new State before the Mandate can be brought to an end should take the form of a Declaration binding the new State to the League of Nations, or of a Treaty or a Convention or of some instrument formally accepted by the Council of the League as equivalent to such undertakings."

Mr. Lawford invokes in connection with Trans-jordan the question of Syria and Lebanon and seems to be surprised that my attention was focused on Trans-jordan. Yes, it was, and it is because Trans-jordan and not Syria or Lebanon is applying for membership in the United Nations. But if you want a precedent, why is your attention not focused on Iraq? This case may be considered as an important precedent concerning the procedure required for a Mandate to be brought legally to an end and the territory concerned to become an independent state. "The independence of Iraq was established on October 3, 1932 following approval by the Council of the League of Nations of an agreement between the United Kingdom and Iraq." "After exhaustive consideration of all aspects of this question by the competent organs of the League of Nations (in 1931 and 1932) and after Iraq had signed a Declaration the terms of which had been decided by the Council on May 19, 1932 ... the Mandatory Regime in that country was ... terminated."

I stressed especially the word Council in the few foregoing arguments. I would like to explain it. It is the Council, not the General Assembly of the League of Nations, which has the responsibility and duty to deal

with bringing the Mandate to an end. "By a special agreement concluded on February 28, 1928, the British Government . . . once more declared itself responsible to the Council for the application of the Mandate in that country. On September 1, 1928, the Council took note of this declaration and recognized that the Agreement in question was in conformity with the principles of the Mandate."

The Council, similarly as in the case of Iraq, would decide the question of the independence of Trans-jordan. But the Council of the League of Nations no longer exists. The question arises then, who is now empowered to deal with this matter? Here I want to invoke the resolution adopted by the General Assembly in London on February 10th, 1946, which reads as follows: "The General Assembly declares that the United Nations is willing in principle and subject to the provisions of this Resolution and of the Charter of the United Nations to assume the exercise of certain functions and powers previously entrusted to the League of Nations and adopts the following decisions set forth in A, B, and C below.

"C. Functions and powers under treaties, international conventions, agreements and other instruments having a political character..."

In this Resolution we may find a solution of how to bring to an end the Mandate of Trans-jordan.

Mr. Lawson rejects what he considers to be my interpretation of Article 77 because this Article is not Mandatory. I agree that Trans-jordan may be placed under Trusteeship System or may not be, but Paragraph 2 of this article says "It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the Trusteeship System..." A concrete it is a matter of agreement which territories will not be placed under Trusteeship System. The ending of the Mandate is not a question concerning only the Mandatory and the territory placed under Mandate, but is obviously a matter concerning the rights and obligations of the community of states represented previously by the League of Nations and now by the United Nations.

That was about legal arguments. I am not inclined to argue with such arguments as, for instance, that "The Representative of Poland has no right at all to speak for the other Governments." I never spoke for the other Governments, and only expressed a personal opinion in words "I am fully convinced" and "I presume." This obvious statement of Mr. Lawford seems to me rather unusual. The same applies to the implication that Annex to the Treaty "was somehow kept secret and concealed." We all are aware - or to avoid further implications that I am speaking for other Governments - I am aware that Annex was published together with the Treaty. Since it was published, it was no secret, and you do not need to "vigorously reject the imputation" which I never mentioned.

Finally the connection between Trans-jordan and Palestine. There is a close connection between these two countries, not only because Mr. Bevin mentioned them in one and the same statement. The more important fact occurred when the League of Nations mentioned these two countries in one and the same Mandate. Incidentally, I would like to add that there must be some connection as yesterday's newspaper published news that troops of **Hashemite Kingdom of Trans-jordan were pouring into Palestine and patrolled the streets of Jerusalem.**

In conclusion, I would like to say that after Mr. Lawford's statement, my doubts and arguments did not lose their legal strength. The question should be reconsidered by the appropriate body, an organ of the U.N., and for this reason we consider the admission of Trans-jordan as premature. In our opinion, decision on this application should be postponed until next year.

ANNEX NO. 18

15 August 1946.

Sir,

I have the honour to inform you that during the examination of the Hashemite Kingdom of Transjordan's application for membership in the United Nations, several points have been raised by various Members of the United Nations. The Committee on the Admission of New Members would be appreciative if you would be kind enough to supply additional information on the following points to assist the Committee in preparing its report.

1. The means of maintaining the territorial integrity and political independence of the Hashemite Kingdom of Transjordan.
2. The Budget of the Hashemite Kingdom of Transjordan with as much detail as possible concerning sources of revenue and headings of expenditure.
3. The effect of the application of Annex of the Treaty of Alliance between the United Kingdom and the Hashemite Kingdom of Transjordan of 22 March 1946 on the maintenance of Transjordan's territorial integrity and political independence.

The asking of these questions is not in any way an expression of opinion by the Committee on the Hashemite Kingdom of Transjordan's application

I have the honour to be,

Sir,

Your obedient Servant

R. FACK
Chairman
Committee on the Admission of New Members.

Dr. Jamil Pasha Tutunji,
Hotel Pennsylvania,
New York.

ANNEX NO. 19

REPLY FROM THE REPRESENTATIVE OF THE HASHEMITE KINGDOM OF TRANSJORDAN IN NEW YORK, TO THE QUESTIONS SUBMITTED TO TRANSJORDAN'S GOVERNMENT BY THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS.

Sir:

I have the honour, hereby, to enclose the official reply of the Government of the Hashemite Kingdom of Transjordan, as received by a radiogram, addressed to me by the Prime Minister of my country.

Hoping that it will satisfy the request of the Committee on the Admission of New Members,

I have the honour to be,

Sir,

Your most obedient Servant,

Dr. Djamil Tutunji
The Representative of the Hashemite
Kingdom of Transjordan

Chairman,
Committee on the Admission of New Members,
United Nations,
Sperry Plant,
Lake Success
Long Island

"Dr. Jamil Pasha Tutunji
Pennsylvania Hotel
New York

1. Means of maintaining the territorial integrity and political independence of Transjordan are threefold: First the Charter of United Nations Organization second the Arab Legion Military Units which consist of 6000 highly trained and equipped personnel, third; the defensive alliance with Great Britain.

2. Following are totals of heads of local revenue and expenditure of

Civil Budget of Transjordan Government. (Figures in thousands.)

Revenue Customs	369
Licenses	377
Court Fees	99
Post	77
Government Property	19
Miscellaneous	180
Sale of Lands	5

Expenditure

Civil List	35
Legislature	5
Pension	27
Council of Ministers	12
Ministry of Foreign Affairs	19
Interior	16
Passport	3
Justice	27
Sharia Courts	5
Finance	26
Customs	25
Health	30
Education	38
Agriculture	22
Antiquities	3
Public Works	94
Posts	45
Lands	
Police	
Miscellaneous	
Audit	
Tribal Appeal Court	
TOTAL.....	436

The Trans-jordan Government is assisted by HMG to meet cost of Military Units under text of Treaty but all cost of Civil Administration of Trans-jordan including public security is met from revenue collected locally.

3. The maintainance of the territorial integrity and political independence of Trans-jordan has not been affected by the application of the Military Annex which has amounted in effect to nothing more than closer co-operation between the two allied forces. It is to be noted that since the conclusion of Treaty, Great Britain has not increased its forces in Trans-jordan or asked that this should be done.

IBF "MIM BASHIM "
