

Box 1044

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Authority NND88/032
By BGS NARA Date 12/31/96

Handed to Mr. De Marigny
of the French Embassy
by L. R. Williams
of WE

AIDE-MEMOIRE

- (1) The Governments of the United Kingdom and France have addressed notes dated November 13 and 14, 1950 respectively, to the United States Government objecting to the intention of the United States Government, as explained confidentially to representatives of the British and French Embassies in October, to lay down its trusteeship functions under the Swiss-Allied Accord. The most careful study has been given to the considerations set forth in the notes under reference.
- (2) While the Department of State continues to believe in the prudence and rectitude of its proposal, it attaches great importance to the maintenance of harmony among the three governments in attempting a resolution of questions arising under the Swiss-Allied Accord. It is, therefore, prepared in compliance with the British and French requests, to make a further effort to break out of the present dilemma.
- (3) The so-called "new" proposal of the Government of Switzerland communicated through the French Ambassador in Bern

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is not acceptable to the Government of the United States insofar as that proposal provides for a settlement by arbitration of those modifications to the United States-Swiss ad referendum agreement which cannot be settled by negotiation. The Government of the United States cannot agree to arbitrate these differences for reasons set forth in the attached draft note to the Legation of Switzerland.

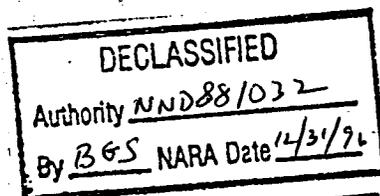
(4) As an alternative solution, the Government of the United States is prepared to submit to the Government of Switzerland a note along the lines of the enclosure.

(5) Before making the proposal described in the draft note, the Department requests concurrence of the British and French Governments on the following points:

(a) If the proposal is accepted by the Swiss, the British and French Governments will join with the United States in actively sponsoring the compensation plan which was jointly devised in Frankfort in May 1950, it being agreed that any change in the position regarding compensation as set forth in that plan must be determined in advance to be mutually acceptable to the three Allies.

Further,

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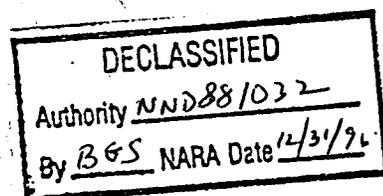
Further, if the best compensation plan that the Allies can offer proves to be unacceptable to the Swiss, the British and French Governments will seek to provide another issue aside from the inter-custodial, on which to break off negotiations in order to preclude a Swiss demand for arbitration of the compensation issue. If no such basis can be found, the British and French Governments together with the United States, shall jointly and equally accept the responsibility for refusing to submit the matter of compensation to arbitration.

(b) If the proposal is rejected by the Swiss and should the United States Government consequently feel compelled to proceed with its earlier intention of declaring for its part that the Accord has been unworkable because of the irreconcilability of conflicting views on the intercustodial problem, the British and French Governments will support the action of the United States; for, indeed, should the proposal be rejected, the sole basis for the unworkability of the Accord shall have been proven to be the intercustodial issue.

(6) In view of the time which has already elapsed since the receipt by the United States Government of the last Swiss

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note regarding the Accord and intercustodial claims, the Department would be grateful if the concurrence of the British and French Governments to the above-outlined course of action and understanding between the Allies be communicated to the Department not later than January 2, 1951.

Enclosure:

Draft Aide-Memoire
for the Legation of
Switzerland.

Department of State,

Washington, DEC 15 1950

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