

PRELIMINARY AND EXPLORATORY DISCUSSIONS REGARDING INTERNATIONAL CIVIL AVIATION; CONFERENCE HELD AT CHICAGO, NOVEMBER 1-DECEMBER 7, 1944

800.796/450

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

[WASHINGTON,] September 28, 1943.

Mr. Pearson ¹ came in to see me, at his request.

He said that the British Government had invited the British Dominions to go to London sometime next week,^{1a} there to discuss the policy of international air transport. The Canadian Government had not been particularly interested in any such conference but had finally determined that they would send representatives to the conference. Their instructions, however, were merely to explore the subject and to make no commitments. The Canadian Government was pretty clear that it did not wish to join an Imperial transport agreement at this time. Mr. Pearson's object in informing us was to make sure that we should not misunderstand the situation, and believe that the British Commonwealth of Nations were "ganging up" on the United States. On a personal basis, he handed me his memorandum, a copy of which is attached.

I thanked him for the information and said I was very clear that we would not misunderstand the situation.

A. A. B[ERLE], JR.

[Annex]

Memorandum by the Canadian Minister Counselor (Pearson)

1. On September 17th the United Kingdom Government issued invitations to the other governments of the British Commonwealth to attend an informal and exploratory meeting in London on the subject of international air transport policy. The United Kingdom Government hopes that this meeting may be held early in October, and it is likely that a statement will be made shortly in the United Kingdom Parliament regarding it. Canada has accepted.

¹ Lester B. Pearson, Minister Counselor of the Canadian Embassy.

^{1a} The Empire air conversations in London were held October 10-13, 1943.

2. Before the United Kingdom Government issued this invitation, the proposed Commonwealth conference was discussed between the United Kingdom Government and the Canadian Government. Both Governments agreed that it was desirable to discuss the matter with the United States Government in order to avoid any misunderstanding of the purpose and scope of the Commonwealth conference. Accordingly, Mr. Churchill, when he was in Washington, discussed the matter with the President,² who said that he saw no objection to such an exploratory Commonwealth conference being held.

3. Mr. Churchill also discussed with the President the possibility of some kind of international conference on air policy being held after the Commonwealth conference. The President said that a decision regarding an international conference should wait until the matter has been discussed at the forthcoming Anglo-Soviet-United States meeting.³

4. The Commonwealth meeting in London will be of a preliminary and exploratory nature. It is not expected that the Canadian representatives will at this meeting support or reject any specific proposal on the organization of international air transport after the war.

5. Mr. Churchill has informed the Canadian Government that he understands preliminary United States views on post-war international air transport to be as follows:

“(1) There should be private ownership.

(2) Key points should be available for international use on reciprocal basis.

(3) International traffic should be reserved to international companies.

(4) Government support may be required on an international basis for certain non-paying routes.”

800.796/453 : Telegram

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

LONDON, October 18, 1943—11 p. m.

[Received October 19—3:12 a. m.]

7168. I have just received the following message from Lord Beaverbrook⁴ for Mr. Harry Hopkins⁵:

²This discussion presumably took place during Mr. Churchill's visit to Washington after the First Quebec Conference, August 17–24, 1943. Documentation on this Conference and on related discussions is scheduled for publication in a subsequent volume of *Foreign Relations*.

³For documentation on the Tripartite Conference in Moscow, October 18–November 1, 1943, see *Foreign Relations*, 1943, vol. I, pp. 513 ff.

⁴British Lord Privy Seal.

⁵Special Assistant to President Roosevelt.

"Secret and Personal. My Dear Harry: Conversations with Dominion representatives on civil aviation after the war have resulted in general agreement. We have not gone beyond exploratory and informative exchanges, and all decisions have been referred back to Dominion Governments. It is my hope that we may now enter into engagements with the United States Government at Washington and agree upon joint policy for international conference. After we get to know what USA and Great Britain will present, our Dominions will be asked to give approval. Do you think the time is now opportune and the situation favorable for swift agreement on broad lines relating only to international traffic and without going into any details of national operations? We would propose in such a conference to discuss operational agreements and also spheres of activity. I would be accompanied by Leathers,⁶ and Howe⁷ would join us to keep the Dominions in line with our decisions. The conference could be written down in public, if desired, to a conversational basis. Max."

WINANT

800.796/489

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

[WASHINGTON,] October 21, 1943.

M. Hoppenot⁸ came in to see me at his request. He observed that La Tournelle,⁹ last July, had extracted a promise from me to keep them generally informed about post-war civil aviation matters; that they had recently received reports about the probability of an Anglo-American Conference on Civil Aviation. In such case, the French Committee wanted to send an observer.

I said that I had told La Tournelle that I would keep him generally informed, but that the question, as raised, was premature. It was true that an imperial consultation was being held in Britain to discuss post-war aviation policy, and that we had been discussing the matter here. It was also true that mention had been made of a conference between our two countries; but that neither the fact, the form, nor the date had yet been decided. Undoubtedly discussions would take place sometime because of the many problems of mutual interest which had to be resolved, but I could not say whether it would be an Anglo-American conference, or a more general conference, or when it would take place. We would bear in mind the request.

A. A. B[ERLE], JR.

⁶ Lord Leathers, British Minister of War Transport.

⁷ C. D. Howe, Canadian Minister of Munitions and Supply.

⁸ Henri Hoppenot, Delegate of the French Committee of National Liberation.

⁹ Guy le Roy la Tournelle, with the French Military Mission at Washington.

800.796/472

The Chargé in Canada (Clark) to the Secretary of State

No. 315

OTTAWA, November 5, 1943.

[Received November 9.]

SIR: As I have previously reported, the Canadians are determined to enter negotiations relating to post-war civil aviation as a sovereign state, speaking for themselves. Only as a last resort will they fall back upon an Empire agreement confronting the rest of the world as a unit.

I understand that it was with some trepidation that they agreed to attend the recent British Empire conference in London on post-war civil aviation, and that, when they did agree to attend, it was on the distinct understanding that the discussions would be exploratory only, and that no commitments would be asked or given.

They seem to have had their way and, so far as I have been able to ascertain, the only commitment resulting from the conference was an undertaking by each not to deal separately with foreign governments on post-war civil aviation without consultation with the other members of the Commonwealth.

When the Canadian delegation had returned from London, I asked Mr. Norman Robertson, Under Secretary of State for External Affairs, whether he could not arrange to give me information regarding the results of the London discussions. He sent me to Mr. Escott Reid, the officer in the Department of External Affairs principally charged with civil aviation matters, and I quote below from a memorandum of my conversation with Mr. Reid:

"Mr. Reid began by saying that a conference which had lasted such a short time could not, of course, have gone into any detailed discussion of post-war civil aviation. In summary, the discussions in London had resulted in agreement (1) that there should be an international convention setting up an international civil aviation authority closely associated with, or even subordinate to, an international security authority; (2) that the nature and extent of the operating rights which would be provided in such a convention would depend upon the composition of the air authority and other provisions of the convention—sentiment was for going a long way toward removing restrictions upon international air transport; (3) that inter-dominion civil aviation would be subject to regulation by the international authority, the same as any other international civil aviation; (4) that thought on detail could crystallize only in discussions of the scope of the convention and the powers to be given to the international aviation authority.

"The international civil aviation authority would be constituted along the lines of our domestic regulatory boards and would regulate

international traffic to the extent agreed upon, serving also as an arbitrator of disputes, or, at least, as a forum for the discussion of disputes. It was envisaged that the international authority would be constituted along lines similar to those of the United Nations Relief and Rehabilitation Administration. It is here that Mr. Reid anticipates difficulty with small countries as he believes that the executive of the international authority should be limited in number, and it is here, also, that the Canadian 'functional representation' comes into play, as Canada would expect to be included in the executive.

"Mr. Reid said that there had been a recognition in London of the paramount character of security. There had been agreement, therefore, that the international air authority should be closely associated with, or even made subordinate to, an international security authority which it was hoped would be constituted. Sentiment was that the enemy nations would not be allowed, for security reasons, to operate international air transport services, at least during the period of probation.

"Mr. Reid said that the extent of operating rights over or within foreign territory would depend upon the composition and the power of the international authority. The more advantages the members of the Commonwealth were able to obtain under the provisions of the convention, the greater the extent of the operating rights they would be willing to accord to other nations.

"Mr. Reid feels that the question of whether international services will be operated by government-controlled companies or by private enterprise is one for domestic determination, and he sees no difficulty in this regard. The discussions at London had indicated the possibility that unfair competition might be eliminated through the fixing of rates by the international authority. He hoped that the international authority would be given the right to arbitrate differences, but said that in the last analysis the planes of one country flying to the territory of another would, as heretofore, do so only under license of the latter, and the license could be withdrawn where any country refused to play ball with the international authority. He also felt that, if any country resorted to unfair competition through declaring certain zones prohibited areas, this matter could be dealt with through the close association of the international air authority with the security authority. These were details, however, upon which thought could not crystallize except during the progress of discussions when the time came to draw up the international convention which would establish the authority."

Respectfully yours,

LEWIS CLARK

800.796/495

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

[WASHINGTON,] November 11, 1943.

Participants: The President; the Under Secretary of State,¹⁰ Mr. A. A. Berle, Jr., Assistant Secretary of State; Mr. Robert A. Lovett, Assistant Secretary of War for Air; Mr. L. Welch Pogue, Chairman, Civil Aeronautics Board; Mr. Harry Hopkins.

The President requested the five men above-named to meet him at 2:00 o'clock yesterday.

He stated that he had begun to discuss aviation policy with Prime Minister Churchill at Quebec and he expected to go on doing so at their coming meeting.¹¹ He had considered the various problems of policy and wished to state the policy he wanted followed. Reading from a memorandum which he said he had himself prepared, though he took the points out of order, he gave us the following oral directives.

(1) Germany, Italy, and Japan were not to be permitted to have any aviation industry or any aviation lines, internal or external. This involved policing these countries.

Their external traffic would be handled by the lines of the other countries. Internal aviation could be handled by a company or companies to be formed by the United Nations. The participation of former enemy countries (Germany, Italy, and Japan) in aviation was to be limited to the maintenance of airfields, local servicing work, and detail of that kind.

As for flying, the President said that he did not want them to be in a position to "fly anything larger than one of these toy planes that you wind up with an elastic."

(2) As to aviation in other countries: The President felt that each country should have ownership and control of its own *internal* aviation services. He recognized there might be exceptions in backward countries unable to organize aviation themselves. But Brazil, which he took as an illustration, was quite competent to run its own internal aviation. He did not wish Americans to own or control their internal aviation; nor did he wish them to hire American or other foreign companies as managers of their internal aviation. He had no objection, indeed he hoped that they would hire American individuals, and of course he hoped they would buy American equipment. But he wanted the internal aviation to be the development of the country itself.

¹⁰ Edward R. Stettinius, Jr.

¹¹ Reference is to the Conferences at Cairo and Tehran, 1943; for documentation on these Conferences, see *Foreign Relations*, The Conferences at Cairo and Tehran, 1943.

(3) Regarding the handling of American aviation, he stated that he had decided that American overseas aviation should not be handled by a single line. The scope of international aviation was too great to be trusted to any one company or pool. He said that certain companies—to speak frankly, Pan American—wanted all of the business, and he disagreed with Trippe.¹² He was willing to agree that on their record, Pan American was entitled to the senior place, and perhaps the cream of the business; but he could not go along with the idea of their, or anyone's, having all of it. This meant a multi-company operation.

He said he still felt—though he was open to argument on the subject—that the plan he had outlined to Mr. Pogue and to myself two years ago, of various companies having “zones”, still appealed to him; thus there might be a company for the western side of South America, another company having the eastern side, one company having the North Atlantic; another, the Mediterranean; and so forth. In answer to a question of Bob Lovett's, he said that there might be a shift of equipment from one group to another as seasons required this. I said I thought that Mr. Pogue's idea of competitive terminals by the competitors draining different fields of traffic probably could be harmonized with this general idea. The President said that he agreed that his idea would have to be applied flexibly.

(4) Regarding the possibility of Government participation in the lines, he said there remained open the question of ownership by the Government of an interest in the various lines contemplated under this policy. But he said he thought there was no need of such ownership under the proposed plan, except as the Government might have to own, initially, lines going to places in which the traffic could not support a company. This would be covered by his idea that the Government should run such lines until private enterprise was prepared to take over.

(5) The President then spoke of subsidies. He said in general he thought the traffic could be made to pay its own way except in connection with certain routes on which the traffic was not enough to make the line a paying proposition. Again using the illustration of the United States to South Africa, he said there would have to be a line to South Africa, but it probably would not be a paying proposition. He therefore wished that we would apply the same policy which he had worked out for shipping lines after the last war, namely: to have the United States Government use its planes and its men to run government lines—but always on the understanding that if ever a private line was prepared to bid for the route, the Government would promptly retire from the business.

(6) As to air and landing rights, the President said that he wanted a very free interchange. That is, he wanted arrangements by which planes of one country could enter any other country for the purpose of discharging traffic of foreign origin, and accepting foreign bound traffic. Thus, if Canada wanted a line from Canada to Jamaica, with

¹² Juan T. Trippe, President of Pan American Airways.

stops in the United States at Buffalo and Miami, they should be able to discharge traffic of Canadian origin at Buffalo, and take on traffic at Buffalo for Jamaica; but they should not be allowed to carry from Buffalo to Miami.

He considered that each country would have a number—in the United States a quite large number—of airports available for such foreign traffic.

In addition to that, he thought planes should have general right of free transit and right of technical stop—that is, the right to land at any field and get fuel and service, without, however, taking on or discharging traffic.

This, he pointed out, would dispose of any need for a United Nations authority to manage airfields.

The President said that there might, however, remain airfields in respect of which the traffic itself would not pay the cost of upkeep. Liberia, for instance, might have to maintain a field for the purpose of a line between the United States and South Africa; but there would not be business enough to make it a paying proposition. There, there might have to be United Nations contributions, or arrangements might have to be made for the lines which used the field to pay a part of the cost.

(7) In answer to a question from Lovett, the President said that he thought there should be no general party [*parley?*] or conference about aviation until the time was right to call a United Nations conference. Talks with Britain and other countries could be handled quietly as a part of the preparatory discussion.

(8) The President considered that there would have to be a United Nations Conference on aviation and probably a United Nations organization to handle such matters as safety standards, signals, communication, weather reporting, and the incidental services which went with airports; and also to handle the problem of competitive subsidies or rates.

The impending return of Secretary Hull from the Moscow Conference was then announced, and we broke up.

A. A. B[ERLE], JR.

800.796/492½

The Netherlands Minister (Boetzelaer) to the Assistant Secretary of State (Berle)

No. GA-4376

WASHINGTON, November 30, 1943.

MY DEAR MR. BERLE: When Mr. Kleijn Molekamp,¹³ Mr. Aronstein¹⁴ and myself had the pleasure of discussing with you the advisability of filing applications for postwar air-routes,¹⁵ we promised to furnish you with a memorandum in which you would find a

¹³ Minister Plenipotentiary, Netherlands Legation.

¹⁴ F. C. Aronstein, member of the Netherlands Economic, Financial, and Shipping Mission.

¹⁵ Memorandum of conversation of November 16, 1943, not printed.

general outline of our Government's desiderata with regard to post-war international aviation.

I am taking the liberty to enclose herewith this memorandum.

Believe me [etc.]

W. VAN BOETZELAER

[Enclosure]

MEMORANDUM

The following is a general outline of the directives which the Netherlands Government intends to follow when discussing questions on postwar international aviation:

1. Distribution of international airlines to be established in international convention with observance of a principle of reciprocity whereby it is clearly ascertained what is understood by international air traffic, whereby cabotage is not allowed.

2. Institution of a permanent international organization for establishing general air regulations and directions for preparation of periodical revision of international airlines and for allotment of new international airlines.

3. All states to be obliged to give every facility to established international airlines and not to cause any obstruction. Freedom of peaceful passage only to be restricted for reasons of defense or safety.

4. International airports to be in principle designated, organized and managed by states in whose territory these airports are situated, which states agree to comply with international rules and to provide adequate landing grounds.

5. Airports exploited by foreign states on territory of a state proper as well as airports exploited by foreign air companies to be open to international air traffic.

6. Division of air traffic between air companies or government undertakings on established airlines to be settled in consultation between companies or states concerned with due regard to minimum frequency of each organization admitted on airlines concerned.

7. Sovereignty for each state on inland traffic.

8. Priority for a state for air connections between various, non adjacent territories of that state; apart from this these connections to be considered as international airlines.

9. Intermediate states to be obliged to give every facility for connections between the nonadjacent territories of a state.

10. Airmail to be regulated according to the principle of dispatch per quickest opportunity.

11. The Netherlands air connections in Europe as well as the connections Amsterdam-Batavia, Batavia-Australia and The Netherlands Indies-Singapore-Indo China to be restored and the following air connections to be established:

- a. United States-Curaçao;
- b. Netherlands West Indies-Europe;
- c. Atlantic Coast of the United States-Europe;
- d. Pacific Coast of the United States-Netherlands Indies;

- e. Philippines-Netherlands Indies;
 - f. New Zealand-Netherlands Indies;
 - g. South America-Surinam;
 - h. Surinam-Africa-Batavia;
 - i. Amsterdam-Moscow;
 - j. Holland-South Africa;
 - k. China and Japan-Netherlands Indies.
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800.796/545

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

[WASHINGTON,] December 13, 1943.

Lord Halifax ^{15a} called to see me today. He referred to the conversation I had had with him about two weeks ago relative to post-war civil aviation. He said the British now feel the sooner his people and our people can have private conversations relative to this matter, the better. In this connection he mentioned having the conversations in London. I made no comment.

E[DWARD] S[TETTINIUS]

800.796/520a

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] January 19, 1944.

The British Ambassador called at his request. He said that he had had lunch with the President yesterday and that the question of early conferences between the two countries on aviation and on oil ¹⁶ were discussed. The President agreed with the British desire for early discussions and suggested that the Ambassador confer with me and perhaps one or two other Cabinet officers. I replied that we would be ready for informal discussions at an early date, adding that after I have conferred with some of my associates and bring matters up to date, I could speak to him more definitively. I remarked that Congress has an important function in dealing with these subjects since it enacted the first law establishing a policy; ¹⁷ that of course the Executive branch had exclusive authority to conduct negotiations, and that I felt satisfied it would be desirable to proceed as rapidly as may be practicable to the point of taking up conversations. I then added that it would facilitate these discussions very much if each side, especially the Government urging early conversations, would

^{15a} British Ambassador in the United States.

¹⁶ For documentation regarding Anglo-American petroleum discussions, see vol. III, pp. 94 ff.

¹⁷ Act of June 23, 1938; 52 Stat. 973.

give to the other the principal points it may have in mind for discussion. I said that such a policy should be practiced by both Governments. The Ambassador said that he agreed that it would facilitate the conversations very much to pursue this course.

C[ORDELL] H[ULL]

800.796/552

Memorandum of Conversation, by the Adviser on Political Relations (Dunn)

[WASHINGTON,] January 21, 1944.

Mr. Michael Wright,^{17a} during a call this morning, stated that while lunching a day or so ago at the White House, the President told Lord Halifax that he was very anxious to get along with discussions between the British and ourselves on the subjects of aviation and oil. Mr. Wright remarked that the oil matter was pretty well worked up and the Embassy was at present waiting for final authorization from London.

Mr. Wright also added that the British Government felt that it was extremely important to have some talks begin between the British and ourselves about aviation, and even if final positions were not arrived at, they hoped it would be possible to have preliminary talks, if not to reach agreements to at least exchange views in general on the subject. The British Government considered it extremely important to remove this subject from the list of possible irritants.

JAMES CLEMENT DUNN

800.796/523

The Department of State to the British Embassy

AIDE-MÉMOIRE

The British Embassy is informed that the Government of the United States has been approached recently by several other governments with a request for an exchange of views on the subject of post-war aviation, with particular reference to the development of international air transport.

The Department of State hopes that it will be possible in the first instance to discuss these matters with the British and Canadian Governments and believes that such discussions would be facilitated if an early indication could be received of the views of the British Government on this general subject.

^{17a} First Secretary of the British Embassy.

A similar communication is being addressed to the Canadian Embassy.

WASHINGTON, January 26, 1944.

841.796/562 : Telegram

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

LONDON, January 27, 1944—1 p. m.

[Received 6 : 19 p. m.]

755. The Embassy learns from a reliable source that an aviation meeting on the technical level only of the Dominions and some of the more important colonies is scheduled to take place under the auspices of the Air Ministry in London early in February. It is understood that the principal topic of discussion is the postwar use of facilities such as air ports, navigation aids, weather reporting, et cetera, developed in the Empire for war purposes. It is also understood that Canada at first refused to attend unless the United States was asked, but subsequently agreed to come.

WINANT

800.796/530

Memorandum of Conversation, by the Acting Chief of the Aviation Division (Walstrom)

[WASHINGTON,] January 28, 1944.

Mr. Gore-Booth¹⁸ called at his request relative to our *aide-mémoire* of January 26 asking the British for an early indication of their views on post-war aviation.

He said that before transmitting this request to London he wanted to obtain any background information which we might give him. I said there wasn't much definite information that I could add at this time; that while we were also giving consideration to the problem, it appeared to us that the British views were a little more crystallized, or at least a definite attitude had been stated on certain points already. Therefore, any indication which the British might offer on the broader aspects of the matter would naturally be of considerable interest to us.

Mr. Gore-Booth referred to the fact that we had also approached the Canadians and frankly said that he did not know whether his Government would want to proceed without including the other Dominions as well. I said that our reference to the Canadians was

¹⁸ Paul H. Gore-Booth, Second Secretary of the British Embassy.

probably due to the unconscious emphasis which we had placed on trans-Atlantic air services between Britain and the United States, in which Canada naturally would play an important role, but that what we actually had in mind was the British views on post-war aviation on a world-wide basis.

Mr. Gore-Booth asked if we had anything specific in mind in the way of their post-war objectives, and when I replied that we were merely interested in getting a summary of the British views in general, he agreed that very little more would be possible at this particular time, and that in any event he thought it well to keep both our views somewhat flexible.

Presumably we will hear from the British Embassy as soon as it gets London's reaction to our approach.

J. D. WALSTROM

841.796/576: Airgram

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

LONDON, January 29, 1944—9:30 a. m.

[Received February 7—5 p. m.]

A-118. With reference to the Embassy's telegram No. 755, January 27, Hildred¹⁹ emphasized today to a member of the Embassy staff the purely technical aspect of this meeting; its restriction to radio and other operational aids to flying, and said he hoped, when the discussion with the Dominions was completed, to send a mission to the United States to discuss these subjects with their opposite numbers. He said he hoped this could be done before Lord Beaverbrook's discussions (with the United States) started.

WINANT

800.796/526

The British Ambassador (Halifax) to the Secretary of State

Ref. 56/28/44

WASHINGTON, February 1, 1944.

DEAR MR. HULL: When we discussed on January 18 [19?] the question of civil aviation, you said it would be helpful to you to have some indication of the views of His Majesty's Government in the United Kingdom. I enclose a copy of an extract from a speech by Lord Beaverbrook in the House of Lords on January 19th,²⁰ which gives an outline of our views on certain important points. I should

¹⁹ William P. Hildred, Director General of Civil Aviation, British Air Ministry.

²⁰ For complete text, see *Parliamentary Debates*, House of Lords, 5th series, vol. 130, cols. 459-467.

be glad to know whether Lord Beaverbrook's remarks give us, in your view, an adequate basis on which to start discussions. I was glad to learn from the Department of State's *aide-mémoire* of January 26th that the United States Government are now ready to exchange views on this subject, and I hope that Lord Beaverbrook's statement provides the material which the Department of State desires.

As you will see, Lord Beaverbrook said among other things, "As for the bases under our control, let me say at once that the Government have no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves. Rather do we mean to use them for the purpose of steadily developing civil aviation throughout the world." This statement, of which I was unfortunately not informed in advance by London, has not been given any prominence in the press here, and I have little doubt you will agree that it would be useful that it should be widely known. I do not know whether you would think it worthwhile to draw special attention to it when next you are seeing the press, or possibly whether the President would consent to do so at his next press conference. I should much welcome your thought and advice on this.

HALIFAX

[Enclosure]

EXTRACT FROM SPEECH BY LORD BEAVERBROOK IN THE HOUSE OF LORDS,
JANUARY 19, 1944

We are ready at any moment to enter into an international conference. I cannot tell you when it will take place. But in our view when the time comes our first concern will be to gain general acceptance of certain broad principles whereby civil aviation can be made into a benign influence for welding the nations of the world together into a closer co-operation. These principles must assure to all countries a free and fair share in this new means of transportation. No nation, great or small, except of course the guilty aggressor nations, must be debarred from taking a full and equitable part in the upsurging development of civil aviation that will follow the end of the war. It will be our aim to make civil aviation a guarantee of international solidarity, a mainstay of the world's peace. Of course, there are vital issues on which it will be necessary for the great Powers to reach preliminary agreement. We are ready for such discussions at any time. At present we are waiting on the Americans to complete their surveys.

In particular the question of bases has been widely canvassed. We have many bases at our disposal. They are scattered all over the

Empire, and in other lands too the needs of war have caused us to construct airfields suitable for peace as well as for war. I do not of course deal today with the bases in the Dominions. These are necessarily separately dealt with but they must and will be a subject for discussion between Great Britain and the Dominions. But as for the bases under our control, let me say at once that the Government have no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves. Rather do we mean to use them for the purpose of steadily developing civil aviation throughout the world. Here it must be said that the bases are few in number at which any great volume of traffic can be collected. Just the same, it will be necessary to have international agreement on traffic regulations and arrangements. This is an essential condition of future developments. For my part I find myself on this subject in agreement with Mr. William Burden,²¹ of the Department of Commerce in Washington. Mr. Burden, speaking in Washington on the 5th January, said: "Complete freedom of the air in the present state of the world might result in commercial anarchy."

I share Mr. Burden's view. For our part we are prepared and ready at any time to enter into negotiations with a view to disposing of all traffic problems and arrangements that will arise.

Now the President has recently made certain proposals for the future of international civil aviation. He has declared for the right of innocent passage for all nations throughout the world, and for the right to land anywhere for refuelling and other non-traffic purposes.²² And I am now authorized by the Prime Minister to say that we join with the President to the fullest extent in subscribing to those principles. I repeat the principles: the right of innocent passage for all nations throughout the world, and the right to land anywhere for refuelling and other non-traffic purposes.

I am asked by some noble Lords to state what is the future policy of the Government, and I will state it here. It is our intention that the Government shall take a full measure of responsibility for the development of civil aviation when the war comes to an end. That will be our right and our duty, and to the performance of the task we shall bring the vast knowledge of the air and of the aeroplane which Great Britain has acquired.

²¹ Assistant Secretary of Commerce for Air.

²² The President's remarks in this regard were made during the course of his press conference on October 1, 1943.

800.796/527 : Telegram

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

LONDON, February 4, 1944—1 a. m.
[Received February 3—9:38 p. m.]

968. Embassy learns from reliable source that this morning Foreign Office received a telegram from the British Embassy in Washington reporting that the United States Government was now ready to begin discussions looking toward the conclusion of a general civil air agreement. The message stated that the Embassy had been requested in an *aide-mémoire* from the Department to suggest an agenda. This subject was discussed this afternoon in a meeting in Lord Beaverbrook's office, attended by his staff, Air Ministry, Foreign Office and service officials. It is understood that these officials believe they will be ready to begin discussions in 6 to 8 weeks (*id est*, prepare and secure approval of the agenda).

WINANT

800.796/564

The Canadian Embassy to the Department of State

MEMORANDUM

With reference to its *aide-mémoire* of January 26th²³ the Department of State is informed that the Canadian Government has been giving consideration to the intricate problems of postwar international air transport and has tentatively reached the conclusion that the most helpful solution of these problems lies in the adoption of a multi-lateral air transport convention. There are attached copies of a memorandum outlining the matters which in the view of the Canadian Government might fall within the scope of such a convention.

The Canadian Government would be grateful in return to receive at an early date the preliminary views of the United States Government on the general subject of postwar aviation.

Believing that a discussion of this subject with the Governments of the United States and the United Kingdom would be mutually profitable the Canadian Government is prepared to enter into such discussions whenever agreeable to the other two Governments.

WASHINGTON, February 7, 1944.

²³ Not printed; but see similar *aide-mémoire* of the same date to the British Embassy, p. 365.

[Enclosure]

MEMORANDUM

INTERNATIONAL AIR TRANSPORT CONVENTION

1. Such a convention would establish an International Air Transport Authority, give it a constitution and endow it with powers. The Authority would have the normal structure of an international organization: an Assembly representing all the members states and a small executive committee which could be called a Board of Directors. In each region a Regional Council would be set up to deal with matters of regional concern.

2. The Authority might be charged with the duty of planning and fostering the organization of international air services so as

(a) To make the most effective contribution to the establishment and maintenance of a permanent system of general security,

(b) To meet the needs of the peoples of the world for efficient and economical air transport, and

(c) To ensure that, so far as possible, international air routes and services are divided fairly and equitably between the various member States.

3. Such a convention would be an agreement between States and would not be concerned with such domestic questions as whether the international air services of the various member States should be Government-owned or privately-owned or whether a State should have more than one Government-owned or privately-owned airline company engaged in international air transport. These are matters of domestic policy which each individual member State ought to decide for itself. They are, therefore, outside the scope of an international convention.

4. The number of votes which each member State could cast in the International Air Transport Assembly might vary from one to say six depending on its importance in international air transport. The Board, which might consist of twelve members and which would probably be elected by the Assembly, ought to include at least one national of each of the eight member States of chief importance in international air transport.

5. A company wishing to operate an international air service would make application first to its own Government. The Government, if it approved of the application, would forward it to the appropriate Regional Council. The Regional Council could then hold formal hearings on the application before deciding whether the applicant should receive a license and, if so, under what conditions.

6. The Regional Council should have power to issue a license entitling a company not only to

(a) Freedom of air transit over the airways of all the member States of the region but also to

(b) The right to land at airports in the region for refuelling, repairs and in emergency,

(c) The right to carry passengers, mails and cargo from the home State to any other member State, and

(d) The right to bring back passengers, mails and cargo to the home State from any other member States.

7. A State which considered that a decision by a Regional Council was unfair could be given the right to appeal to the Board of Directors and the Board could set aside or modify the decision.

8. It would probably be found desirable to provide that an application for a license from an airline wishing to operate a service passing over territory under the jurisdiction of two or more Regional Councils should go not to all the Regional Councils concerned but to the Board.

9. The Authority, acting through either the Board or a Regional Council, should be given power to determine frequencies of service on each route, to allocate quotas between the various member States and to determine rates of carriage for passengers and cargo.

10. On questions affecting world security the International Air Transport Authority should be made subject to the international security organization which is to be set up by the United Nations. That organization might, in the interests of world security, order the International Air Transport Board to withdraw, suspend or modify a license, take certain measures concerning technical services, operating facilities and bases, or set up one or more operating organizations to operate the air services on certain routes or in certain regions.

11. Two or more member States might decide that the best way of operating all or some of the air services between them was not by rival companies each carrying a national flag but by a joint organization. The member States should not be prevented from establishing such joint operating organizations. Indeed the Board or a Regional Council might recommend to the member States concerned that they pool the air services on certain routes or in certain regions or constitute joint operating organizations to perform certain air services. A State would have the right to participate in a joint operating organization either through its Government or through an airline company or companies designated by its Government. The companies could, at the sole discretion of the State concerned, be State-owned or partly State-owned or privately-owned.

12. Services between two contiguous States, such as Canada and the United States, should be excepted from the provisions of the convention and dealt with by agreements between the two States concerned. Contiguous States might, however, by mutual consent,

give the International Air Transport Authority jurisdiction over the services between them.

13. In order that the air regulations throughout the world should be as uniform as possible, an agreed set of regulations could be drawn up by the International Air Transport Assembly and brought into force by each member State. These regulations would cover such matters as air safety, rules of the air, competency of air crew, ground signals, meteorological procedure, navigational aids, communications, airworthiness, national registration and identification of aircraft, carriage of dangerous goods and salvage.

14. The aircraft licensed by the Board or the Regional Councils would be assured wherever they went in the world of being able to use adequate airports and other ground facilities on payment of reasonable fees and charges. Member States might elect to bear all or a portion of the costs of constructing and maintaining the necessary facilities. If a member State did not so elect, the costs could be advanced by the Board and borne by the Board or apportioned among States using the facilities. The Board might require, in return for advancement of costs, a reasonable share in the supervision of the construction work and in the control of the airports and other facilities. At the request of a member State the Board might itself provide, man and maintain any or all the airports and other facilities which it required on the territory of that State and might impose reasonable fees and charges for their use.

15. The expenses of the International Air Transport Authority would be borne by the member States in proportion to the number of votes at their disposal in the Assembly, provided that those expenses of a Regional Air Transport Council which were properly chargeable to the States participating in that Council should be borne by those States.

16. Some time would naturally be required after the coming into force of the convention before the International Air Transport Authority would be in full working order. An Assembly must meet, a Board must be elected, Regional Councils constituted, their rules of procedure agreed upon. Certain temporary arrangements ought therefore to be contemplated to cover the initial period of existence of the Authority. Thus the convention would not terminate the rights of companies now engaged in international air transport but would provide that these companies be given two years to secure licenses from the Authority. Furthermore, airline companies designated in a schedule to the convention would be deemed to possess licenses issued by the Authority to operate routes designated in the schedule and these licenses would remain valid until modified or withdrawn by the Board or the competent Regional Council.

WASHINGTON, February 7, 1944.

800.796/531 : Telegram

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

LONDON, February 8, 1944—8 p. m.
[Received February 8—6:06 p. m.]

1084. Reference Department's instruction No. 3660²⁴ and Embassy's telegram No. 968, February 4, 1 a. m., the Embassy learns that if proposed agenda for aviation discussions telegraphed to British Embassy in Washington is satisfactory to the United States Government, Beaverbrook and assistants will probably be ready to leave in about 2 weeks time. It is understood that Beaverbrook wishes to terminate these discussions prior to the general meeting of the Dominion Prime Ministers. It is also understood that he may officially express the Government's abandonment of monopoly theory (under certain conditions) in House of Lords before he leaves for Washington. See Embassy's telegram No. 970, February 4, 3 p. m.²⁵

WINANT

841.796/597

The First Secretary of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

Ref: 56/43/44

WASHINGTON, February 11, 1944.

MY DEAR MR. BERLE: In the course of your conversation on January 28th you asked Sir R. Campbell²⁶ whether he could give you any information on the report that there was to be a further British Commonwealth discussion of civil aviation in London, and in particular, if the report was correct, on what level the discussion would take place and what would be the terms of reference.

We have now been informed that a technical conference was called on the subject of radio for civil aviation of which the first meeting was held in London on February 1st. Expert representatives from the Nations of the Commonwealth and from the Commonwealth Empire were invited to attend. The purpose of the conference was to gather expert views in relation to common radio service for civil aircraft. These exploratory discussions, I am informed, are simply to be regarded as preliminary to an international conference.

The following quotation from the address to the conference by the Chairman, Sir Stafford Cripps, will give you an indication of the purpose and scope of the meeting:

²⁴ Not printed; it transmitted, for the Embassy's information, a copy of the *aide-mémoire* of January 26 to the British Embassy, p. 365.

²⁵ Not printed.

²⁶ Sir Ronald I. Campbell, British Minister in the United States.

"We do not wish to do more than clarify our own ideas and pool our own knowledge so that when it comes to wider discussions, we may be in a position to put forward most useful suggestions. . . . What we seek to do is to find the best technical answers to questions posed so that we can recommend to each of our Governments a common line of action and collaboration. . . . It is suggested that when we have thus formulated the best technical advice that we can for our Governments, they will be in a position to enter upon informal discussions on this subject matter with the United States and the U.S.S.R. and eventually with all the United Nations."

I also note that according to the press there is at some future date to be a meeting of the Prime Ministers of the various Commonwealth countries and there have been unofficial reports that this conference will devote some discussion to civil aviation. The Ambassador has asked London for information about this.

Yours sincerely,

MICHAEL WRIGHT

800.796/541 : Telegram

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

LONDON, February 11, 1944—11 p. m.

[Received February 12—8:20 p. m.]

1207. See Embassy's 968, February 4, 1 a. m. and 1084, February 8, 8 p. m. A member of Lord Beaverbrook's office informed a member of the Embassy that they had this morning received a copy of a 20-odd page document containing Canada's proposed agenda for the aviation discussions to be held in Washington. He said that they considered it "impertinent" for Canada to present such a detailed plan particularly in view of the likelihood of offending the other Dominions and India. He said that they were particularly concerned with a suggestion in the Canadian document that international flying not be considered to include flying to contiguous territory (that is between Canada and the United States). It is obvious that Lord Beaverbrook's office would prefer to discuss civil aviation with the United States alone in the first instance, and have subsequent discussions (based on the general agreements arrived at between the United States and Great Britain) with Canada, the other Dominions and presumably other countries. There would be no objection to the United States dealing with Canada immediately following the general discussion between Great Britain and the United States.

With respect to the Embassy's telegram 970, February 4, 3 p. m.,²⁷ Beaverbrook may make an anti-monopoly and anti-subsidy statement in House of Lords very soon. In any case, it is expected that he will

²⁷ Not printed.

do so before he leaves for the United States. The Embassy assumes the Department has Canada's proposed agenda; if not, it can forward a copy.

WINANT

800.796/546a : Telegram

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

WASHINGTON, February 12, 1944—7 p. m.

1097. For the Ambassador from Berle. Based on correspondence received here, it appears to me that Beaverbrook and his aides have expanded considerably on the state of the record in connection with the coming talks on aviation matters. You should have by now the text of the Department's *aide-mémoire* to the British asking their ideas on the point. Yet we understand it is being freely said in London that the British have been asked to prepare the agenda, whereas they are, of course, preparing their suggestions for it; and that they have been told that the carriers will not be represented. This is probably the way it will work out so far as the Government-to-Government negotiations are concerned, but no one has said anything on the subject thus far.

We will send you by air mail Monday copy of our agenda suggestions to the British.

We are likewise inquiring of the British whether it would be agreeable for them if we informed Moscow of the contemplated talks, with a view to finding out whether they would like to join at an appropriate stage.

The preliminary talks, when held, will develop whether there is foundation for a United Nations air conference later. Prevailing opinion here is that such a conference would be desirable.

After careful consideration, it is believed that Satterthwaite²⁸ had best remain in London for the time being. Walstrom is writing him on the subject. [Berle.]

STETTINIUS

800.796/591

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

[WASHINGTON,] February 14, 1944.

I today handed the attached memorandum of agenda²⁹ to Mr. Michael Wright of the British Embassy.

²⁸ Livingston Satterthwaite, Civil Air Attaché, American Embassy, London.

²⁹ *Infra*.

I said that in my view it seemed desirable to call the Canadians into the discussions, with the general understanding that they would participate in all of the subjects in which they had an interest; naturally we and the Canadians or we and the British might have matters to discuss of no possible interest to the British or the Canadians, respectively.

I further stated that I thought it was of very great importance that we advise the Soviet Government that we proposed to have preliminary discussions and that, if the British saw no objection, we intended to inform Moscow of the conversations now planned, with a view to ascertaining whether they had any interest in joining such discussions. It was our urgent feeling that if the Soviet Government indicated that it wished to join such discussions, opportunity should be given for it to do so. We had no indication as yet that they were thus interested.

I asked Mr. Wright's view as to whether he thought the Chinese Government ought to be drawn in. Mr. Wright said that he thought their participation would be rather unreal. I said that though it would be unreal from the point of view of present contribution to aviation, it might be very real from the negative point of view—that is, if the Chinese Government were hostile to the principles we worked out, this might limit the benefit to be received from the principles agreed on. I said that we had not crystallized our ideas on this point, but merely wished to make the statement so that the British Government should be on notice that we might raise it later.

Mr. Wright inquired whether we had thought of these discussions as being on the ministerial level with Lords Beaverbrook and Leathers, or whether they would be on a lower level. I said that it seemed to us that the major questions involved were broad policy in respect of which purely technical discussions could not contribute much. We had hoped to keep them quiet and modest. Mr. Wright suggested that would be difficult in view of the personality of one of the negotiators, but he agreed that publicity was as likely to come from the other side of the water as from this, were the discussions on any other level.

He then inquired what kind of a team we planned to work out so that they might have a somewhat similar team. I said this was not altogether settled; I thought that four or five of us would be working together, of course drawing in such technical assistance as might be needed. Mr. Wright inquired what kind of people ought to come along with Beaverbrook and Leathers. I said I thought that they ought to have the equivalent of our Civil Aeronautics Board men.

Mr. Wright asked whether we had any desires as to the place. I said I thought that the discussions presently contemplated might be held in Washington. I then said that we felt that these discussions

should lead towards a United Nations conference later on, and that, although we had not yet consulted the Canadians, we were thinking of proposing Ottawa, assuming the Canadian Government was willing.

Mr. Wright concluded by saying that he would put up the whole matter to London and let us know. I said that we were going to inform the Soviets of what was going on, but following his reply we would see whether we should not go further in a definite attempt to draw the Soviets into the discussions. It was obvious that they would have aviation, and quite likely would want to project it beyond their own borders.

A. A. B[ERLE], JR.

800.796/591

The Department of State to the British Embassy

MEMORANDUM

PROPOSED AGENDA OF SUBJECTS RELATING TO INTERNATIONAL
CIVIL AVIATION

I. *Air Navigation and Air Transport*

1. The right of transit and technical stop (stop for non-traffic reasons) for civil aircraft, subject to needed regulation for security.
2. The right of commercial air entry.
3. Granting of international operating rights on a non-exclusive basis.
4. Application of cabotage to air traffic.
5. Control of rates and competitive practices.
6. Curtailment of subsidies and exchange of subsidy data.
7. Uniform operating and safety standards.
8. Standardization or coordination of air navigation aids and communications facilities.

II. *Airports and Facilities*

1. Designation of commercial airports of entry.
2. Use of airports and facilities on a non-discriminatory basis.
3. Airports and facilities in isolated areas.

III. *International Collaboration*

1. Establishment of an international civil aviation commission, and definition of its functions.
2. Preparations and agenda for a United Nations conference.

WASHINGTON, February 14, 1944.

800.796/543 : Telegram

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

LONDON, February 14, 1944—8 p. m.

[Received 9 p. m.]

1258. Reference Department's 1097, February 12, 7 p. m. and the Embassy's 1084, February 8, 8 p. m. We believe that Lord Beaverbrook's office is aware of the preliminary and exploratory nature of the conversations envisaged in the Department's *aide-mémoire* of January 26 to the British Embassy in Washington. The proposed agenda for these discussions which the British are preparing is of a general nature. We are told that among the subjects they wish to discuss are the scope and desirability of establishing an international aviation regulatory body having certain economic as well as technical powers and the best means of avoiding destructive competition while giving free scope to the development of aviation.

With reference to the Embassy's 1207, February 11, 11 p. m., we are informed by Beaverbrook's two assistants that the submission of the proposed British agenda for approval in Washington has been held up because of the references to Canada in the *aide-mémoire* and because of Canada's reported submission of a complete and detailed draft aviation agreement. They would like to know whether the United States has in mind that the proposed discussions will be three-cornered, that is, the United States, Great Britain and Canada. If so, they feel strongly that all of the Dominions should be included. They would much prefer to have the first preliminary discussions limited to the United States and Great Britain. (According to Stanton of Beaverbrook's office, a possible satisfactory arrangement might be to have the discussions in Ottawa but with Canadians present as observers only.) The British seem to hope that the preliminary discussions will lead to agreement between the United States and them on general principles and that subsequently these principles will be agreed to by other nations.

It would be helpful to receive by telegraph a copy of the Department's agenda suggested to the British since air mail usually takes 2 weeks.

Stanton and Masfield³⁰ say they now feel Beaverbrook will be ready to begin discussions in about 5 weeks depending on how the problem with respect to Canada's participation is solved.

WINANT

³⁰ P. G. Masfield, Personal Adviser on Civil Aviation to the Lord Privy Seal.

800.796/571

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

[WASHINGTON,] February 15, 1944.

Mr. Pearson came in to see me, at my request.

I referred to the request which had been made by the Canadian Government that conversations between Canada and the United States in respect of civil aviation matters should take place at an early date. I said we were prepared to enter such conversations, and handed him a copy of the suggestions for agenda previously handed the British. At the same time, I gave him the substance of the conversation I had had with Mr. Michael Wright of the British Embassy on February 14.

I added that these conversations should be considered as exploratory and looking towards a United Nations Conference later in the year. It was our desire, should this prove agreeable to the Canadian Government, to suggest that such a conference be held at Ottawa. I made note also of the fact that we were informing the Soviet Government that preliminary conversations were to be held, with a view to discovering whether they had interest in joining them; and added that we might wish likewise to inform the Chinese.

Mr. Pearson then inquired about other countries which had expressed an interest—for instance, the Netherlands. I said that, depending on the progress we made, I thought we could handle the conversations flexibly, drawing in such other countries as might be interested at an early stage. Plainly, the degree to which this would be practicable would turn in considerable measure on the progress we made.

This seemed quite satisfactory to Mr. Pearson, who said that he would inform his Government.

I concluded by saying that, as it seemed to me, we should probably be getting to conversations about the third week in March, with a view to having a United Nations conference in early summer, possibly June or thereabouts.

A. A. B[ERLE], JR.

800.796/549a : Telegram

The Acting Secretary of State to the Ambassador in the Soviet Union (Harriman)

WASHINGTON, February 15, 1944—8 p. m.

309. The British and Canadian Governments have requested us to open conversations with them on post-war civil aviation. In agreeing

to this, Department stated that it would inform the Soviet Government of this fact. The discussions will probably cover broad questions of policy such as freedom of transit for civil aircraft with right of stop for overhaul and refueling; the degree to which commercial entry shall be available, and similar questions, and, if sufficient basis appears, would look forward to the possible holding of a United Nations aviation meeting later this year, and possible United Nations organization for civil air matters.

The Department would favor asking the Soviet Government to join in such conversations at an early stage if the Soviet Government is interested in doing so.

Please inform the Soviet Foreign Office of the British and Canadian request, and of our agreement thereto, and advise the Department of the degree of interest which the Soviets may have in this matter. It is expected that conversations will begin in Washington in about 4 weeks.

STETTINIUS

800.796/546a

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

No. 3744

WASHINGTON, February 16, 1944.

SIR: The Department's telegram No. 1097 of February 12, 1944, promised to send forward by air mail a copy of our suggestions made to the British Embassy as possible agenda for the forthcoming conversations on aviation matters. A copy of these suggestions is attached hereto.³¹

For your information, it is apparent that there is some difference of opinion between the Foreign Office and Lord Beaverbrook in respect of having the Canadian Government join in the conferences. Lord Beaverbrook seems to have expressed himself informally to the effect that he did not want the Canadians present. The Canadian Government appears to have the impression that the British Government is expecting them to take part. We have been proceeding on the assumption that the Canadians would be represented in these talks, and propose to continue on that course.

Very truly yours,

For the Secretary of State:
A. A. BERLE, JR.

³¹ *Ante*, p. 378.

800.796/543 : Telegram

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

WASHINGTON, February 17, 1944—11 p. m.

1208. On February 14 the Department informed First Secretary Wright of the British Embassy that we felt it desirable to include the Canadians in the aviation discussions referred to in Embassy's 1258, February 14, 8 p. m. Furthermore, it was suggested that the Soviet Government be invited to participate and that the Chinese might also be asked. It is possible that the other British Dominions as well as certain other countries may be gradually brought into informal discussions prior to any formal United Nations conference, but it is not now planned to include them at the beginning. Incidentally, Washington has been suggested for the first discussions, and Ottawa for the United Nations conference.

The Department feels that the Canadians should be included with the British not only on account of their strategic position, but also because both the British and the Canadians approached the Secretary on this subject at about the same time. Howe³² also has said that he arranged to be present with Beaverbrook and Leathers at any conversations to be held in Washington. In short, for these and other reasons the Department feels there is ample justification for inviting the Canadians at this time.

With reference to the Embassy's 1207, February 11, 11 p. m., the Canadians have furnished a 5-page memorandum describing their proposal for an international authority which would develop and supervise international air transport, but the Department is not familiar with any 20-page Canadian agenda. Please forward a copy of this.³³

The agenda which the Department handed to the British and Canadian representatives follows:

[Here follows text of agenda printed on page 378.]

The substance of the first paragraph of this telegram was communicated to the Minister Counselor of the Canadian Embassy February 15. We have also telegraphed Harriman to advise the Soviet Government of the impending talks with the British and Canadians and the possible United Nations Conference and of our desire to have the Soviet Government join the talks at an early stage should it wish to do so.

STETTINIUS

³² C. D. Howe, Canadian Minister of Munitions and Supply.

³³ Copy transmitted to the Department in despatch 14058, February 23; received February 29. The 23-page "agenda" was actually a Canadian draft of an international air transport convention.

800.796/549 : Telegram

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

LONDON, February 19, 1944—2 p. m.

[Received 5:20 p. m.]

1413. Reference Department's 1208, February 17, 11 p. m. A member of Beaverbrook's staff informed the Embassy this morning that the Foreign Office is instructing the British Embassy in Washington to inform the Department that it will not enter into discussions with the U.S. at which Canada is present unless the other Dominions are included. (Reference Embassy's 1258, February 14, 1207, February 11, 11 p. m.) We understand that the proposed British agenda was sent to the British Embassy in Washington early this week.

WINANT

800.796/592

The British Embassy to the Department of State

His Majesty's Government in the United Kingdom welcome the desire of the United States Government expressed in the State Department's *Aide-Mémoire* of January 26th, 1944, and in subsequent discussion with Mr. A. Berle Jr., Assistant Secretary of State, for discussions on post-war civil air transport and agree that these matters should be discussed in a preliminary way with a view to a full international conference at some convenient date.

2. His Majesty's Government in the United Kingdom understand the United States Government to be anxious that representatives of the Union of Soviet Socialist Republics should be given an opportunity to be present at the preliminary discussions and that the question whether an invitation should be sent to China is also under consideration. Both these ideas are welcomed by His Majesty's Government, who note also that the idea of the United States Government is that the talks should be at a high policy level.

3. His Majesty's Government in the United Kingdom feel that in view of the scope and level of the proposed discussions it would be appropriate that the Dominions other than Canada should also participate in them and assume that in the circumstances which have developed the United States Government will agree to extend an invitation to Australia, New Zealand and South Africa.

4. His Majesty's Government in the United Kingdom believe that at this stage discussions should be on broad principles of policy rather than on any cut and dried plan.

5. In response to the invitation transmitted to them by the United States Government, His Majesty's Government in the United Kingdom have prepared a statement in the form of a possible agenda including major items which appear to them to be suitable for discussions. The statement forms an enclosure to this memorandum.

6. In submitting this agenda for consideration, in the hope of early discussions, His Majesty's Government in the United Kingdom would be glad to receive the preliminary views of the United States Government on the principles outlined therein.

WASHINGTON, February 21, 1944.

[Enclosure]

DRAFT AGENDA

1. His Majesty's Government in the United Kingdom affirms its desire to achieve the maximum degree of international co-operation in the development, operation and regulation of air transport in the interests of mankind as a whole. His Majesty's Government therefore propose that an agenda for the suggested preliminary meeting with the United States should include:

Discussion and agreement upon:

- (1) The establishment of an international convention to be administered by an international air transport authority;
- (2) The elimination of uneconomic competition by regulation of:
 - a. Frequency and allocation of services;
 - b. Rates of air carriage in relation to speeds and standards of accommodation, and by
 - c. Control of subsidy.
- (3) Responsibility for the provision of airports to agreed standards for international air services;
- (4) The setting up of arbitration machinery to decide appeals on matters of air transport which may be in dispute between nations.
- (5) The definition of the degree of freedom of the air which can be conceded.
- (6) The feasibility of establishing international operating agencies on particular routes or in particular areas, especially for security reasons.
- (7) A plan and procedure for a full International Conference on International Air Transport.

2. *International Air Transport Authority.*

His Majesty's Government in the United Kingdom would support the establishment of an International Air Transport authority to administer a convention which would:

- (1) Prescribe safety regulations, such as rules of the air, airworthiness, licensing of personnel and aircraft, ground sig-

- nals, meteorological procedure, prohibition of the carriage of dangerous goods, etc. and provide enforcement regulations;
- (2) Provide elimination of uneconomic competition by regulation of the frequencies of service and rates in relation to speed, etc. and standards of passenger accommodation. Subsidies should then be kept within reasonable bounds;
 - (3) Provide standardisation so far as possible of radio equipment and technique, ground services and meteorological facilities;
 - (4) Deal with customs procedure, passenger formalities and sanitary regulations;
 - (5) Lay down conditions for exemption from taxation of fuel and oil;
 - (6) Provide licensing of international air operators on the basis that licences would be issued only to those operators who both undertook to observe the International Convention and agreed to abide by the rulings on the rates of carriage, frequencies, etc. The licence would be withdrawn from any operator who disregarded these obligations;
 - (7) Provide that States participating in the Convention would deny facilities to any unlicensed operator;
 - (8) Provide collective and requisite information about services maintained, operational costs, nature and extent of subsidies, rates of carriage, landing fees etc.;
 - (9) Establish the principle that all States should be responsible for the provision of ground facilities needed in their territories in accordance with the specifications laid down in the Convention. Should certain countries be unable or unwilling to provide the necessary facilities, special arrangements which might involve financial assistance would be necessary;
 - (10) Provide arbitration machinery;
 - (11) Define the routes of services to which the Convention should apply;
 - (12) Define whatever doctrine of freedom of the air is generally acceptable in the context of the Convention.

3. *Freedom of the Air.*

His Majesty's Government in the United Kingdom would welcome a greater measure of freedom of the air than existed before the war. But this question cannot be considered as a separate and self-contained issue and the extent to which freedom of the air can be realised must depend on the general acceptance of an enlightened international settlement.

4. *International Operating Agencies.*

His Majesty's Government in the United Kingdom would support the establishment of international operating agencies on particular routes or in particular areas to deal with services now operated by enemy air lines and routes passing over areas of vital security interest.

5. *Security.*

It would also be necessary to consider the relationship between the proposed International Air Transport authority and any organization which may establish a system for the purpose of maintaining future world security.

6. *International Conference.*

The plan and procedure of the proposed full international conference must be considered.

800.796/592

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

[WASHINGTON,] February 23, 1944.

Mr. Michael Wright came in to see me in connection with the method of handling the proposed air negotiations. I handed him a copy of the memorandum³⁴ as agreed upon yesterday, the principle of which was approved by the Policy Committee this morning.

I said that we had endeavored to meet, sympathetically, the British desire to have the Dominions join with them in the discussions. This seemed extremely difficult in view of the fact that other countries, both South American and European, would have an equal right to join; and that joint conversations with such a large group would be wholly unmanageable. Hence we had suggested the device of independent bilateral conversations, but held at the same time, conducted between the United States, the U.K., Canada, Soviet Russia (if she cared to join), Brazil, and China.

We would likewise invite the other three Dominions, and a list of other countries, which we hoped to make as small as possible; these would arrive and conversations be undertaken with them, substantially without a break, after the main conversations had reached a conclusion, or at least a point permitting further exploration.

Mr. Wright said he thought this was an ingenious solution and he personally hoped matters could go forward on this basis. He said he would endeavor to expedite a prompt reply from the Foreign Office.

I said that in dealing with the United Kingdom we assumed that the U.K. would represent all British interests other than those of the self-governing Dominions; Mr. Wright said that that was their understanding likewise.

Mr. Wright inquired what nations we thought of adding to the short select list. I said this was still under review; our tentative ideas ran along the line of the Netherlands, Belgium, the French National Committee (if a way could be found to handle it), and Mexico.

³⁴ *Infra.*

I pointed out that we had assumed that the phrase "full international conference" used in their note meant a United Nations Conference; Mr. Wright said he so understood it. I added that if for any reason it should be necessary to add in certain selected neutrals—possibly Portugal—we could discuss that later.

I noted that the memorandum indicated that we were sending an invitation to Brazil. I said we did not actually plan to do this until we had heard from London, which we hoped would happen in the very near future.

A. A. B[ERLE], JR.

800.796/592

The Department of State to the British Embassy

MEMORANDUM

The Secretary of State was glad to receive the British Embassy's memorandum of February 21 setting forth certain views of the British Government in regard to discussions on post-war civil aviation and enclosing a statement in the form of the possible agenda for such discussions.

The United States Government notes that His Majesty's Government appears in agreement that there are obvious advantages to a United Nations Conference within the near future, and assumes that such a meeting was contemplated by the phrase "full international conference" in the memorandum under reference. It is therefore believed that steps should first be taken looking to exchanges of views between certain countries for the purpose of bringing about such a United Nations Civil Aviation Conference at an early date to formulate a program to which the United Nations would if possible agree. Later the adherence of neutral governments would also be invited, or arrangements made for a full international conference.

The United States Government, in inviting the British and the Canadian Governments to exchange views with it at an early date in Washington, had the foregoing procedure in mind. The Government of the U.S.S.R. was informed of the invitation which had been extended to the British and the Canadian Governments and was advised that the United States Government would be glad to engage in a similar exchange of views with representatives of the Soviet Government at the convenience of the latter. No reply has as yet been received from the Soviet Government, and it is proposed to send a further message to that Government in due course inquiring whether the Soviet authorities feel that they will be in a position at an early date to have such an exchange of views in Washington with representatives of the United States Government. While great importance

is attached to having such an exchange of views on civil aviation with the Soviet Government at an early date, the United States Government is not disposed unduly to press the Soviet Government to engage in such conversations at this time if for any reason that Government finds it inconvenient.

An invitation is also being extended to the Chinese Government to take part in an informal exchange of views on civil air transport in Washington with representatives of the Government of the United States.

The proposed exploratory conversations in Washington with representatives of the British and the Canadian Governments have therefore been visualized as part, probably the first, of a series of conversations with a number of other governments on civil air transport with the view to discussing this subject on broad principles of policy. It is hoped that understandings might be reached between these governments serving as a basis for future air relations, and paving the way to a United Nations Civil Aviation Conference later in the year, perhaps before the end of next summer.

The United States Government now proposes that the conversations with representatives of the United Kingdom Government and the Canadian Government in Washington take place as bilateral conversations between representatives of this Government on the one hand and representatives of the other two Governments, respectively, on the other. It is expected that the conversations will take place at approximately the same time. It is hoped that the Soviet and Chinese Governments will be agreeable to engaging in similar conversations with representatives of the United States Government at about the same time. An invitation is being extended to the Government of Brazil to engage in similar conversations in Washington. The United States Government will undertake to transmit a summary of the results of these talks to each of the other governments which have participated in such conversations.

The United States Government also proposes to extend invitations to a short list of other governments to engage in similar exchanges of views in Washington with representatives of the Government of the United States. In this list are included Australia, New Zealand and South Africa. Summaries of these bilateral conversations would be transmitted to other governments which have participated in similar talks.

The purpose of the foregoing bilateral exchanges of views would be to pave the way for the holding of a United Nations Civil Aviation Conference at the earliest moment at which it appeared that there existed a sufficiently broad area of common understanding among a sizeable nucleus of countries.

The proposed agenda transmitted with the British Embassy's memorandum of February 21 is receiving consideration and will be discussed with officers of the Embassy at an early date.

WASHINGTON, February 23, 1944.

800.796/559b : Telegram

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

WASHINGTON, February 23, 1944—9 p. m.

389. The following message has been sent to London.³⁵

"On February 21 First Secretary Wright of the British Embassy presented a memorandum agreeing that post-war civil aviation matters should be discussed in a preliminary way with a view to a subsequent international conference at some convenient date. The memorandum welcomed our proposal that the Russians and the Chinese should be given an opportunity to be present at the preliminary discussions, but stated further that the British Government felt it appropriate that the Dominions other than Canada should also participate in the proposed discussions. The memorandum transmitted a draft agenda covering major items which appeared to the British to be suitable for discussions.

"On February 23 the Department replied to the British memorandum, stating that we had contemplated exchanges of views between certain countries which would presumably result in a United Nations conference. As a beginning we had planned independent bilateral conversations, to be held at approximately the same time, between this country and the United Kingdom and Canada, as well as Soviet Russia, China and Brazil if they care to participate. We would undertake to furnish a summary of these talks to each government joining in such conversations. It was stated that this Government also proposed to invite a few other governments, including Australia, New Zealand and South Africa, to participate in discussions probably immediately after, or as a continuation of the main conversations with the first-mentioned group.

"In handing the Department's memorandum to Wright, it was explained orally that while we were sympathetic with the British desire to have all the Dominions included in the first talk, this appeared very difficult due to the fact that other countries would also wish to participate and that joint discussions involving such a large group would be unmanageable.

"The Department assumes that you can obtain a copy of the British agenda. It would be very helpful if the Embassy could forward the Department as soon as possible (with a summary by telegraph, if feasible) background information of British views and objectives, and the arguments which will be advanced in support thereof, covering the specific points in the British draft agenda."

³⁵ As telegram 1362, February 23, 10 p. m.

Reference Department's 309, February 15, 8 p. m. Without unduly pressing the matter, will you please endeavor to ascertain whether the Soviet Government is interested in joining in bilateral discussions as described above. While it is now contemplated that talks with the British and the Canadians will probably take place about the third week in March, any time after this which is convenient to the Soviet Government would be satisfactory with us.

STETTINIUS

800.796/555 : Telegram

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

LONDON, February 25, 1944—5 p. m.

[Received 8:22 p. m.]

1551. A member of Beaverbrook's office took occasion today to comment on Foreign Office telegram to the British Embassy in Washington that in view of the United States Government's invitation to Russia and probable invitation to China to be present at preliminary aviation discussions, it expected the United States also to invite the Dominions. He wanted us to know that the British felt strongly about this.

WINANT

800.796/658

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

[WASHINGTON,] February 26, 1944.

Participants: M. Baudet and Gen. Chas. Luguet of the Fighting French;

Mr. A. A. Berle, Jr.

M. Baudet came in to introduce General Luguet as the officer of the French National Committee delegation with power to discuss aviation matters. He inquired about forthcoming discussions concerning civil aviation.

I told him that no present arrangements for such talks were concluded. I said we had proposed to the British the holding of bilateral conversations between the United States and Great Britain, and other conversations with Great Britain and other countries with a view to discovering whether there was a basis for holding an international conference later. This proposal was still being discussed.

M. Baudet asked whether such bilateral conversations would be secret, or whether other observers could sit in. I said that while they were not designed to be secret, plainly you could not have conversations with other people sitting in. M. Baudet likewise asked whether the bilateral conversations were to be simultaneous. I said that our idea was to try to make them as nearly so as could be done, but, of course, one had to begin somewhere. I could not as yet say whether this plan would go forward or not.

General Luguet then said that France had a great deal to offer in any general conversation. They had territories in Africa, and Madagascar and Indochina. These, he said, had great value from the point of view of weather and other safety information, and France could then bring a very great deal to the table of international collaboration. I said I was very sure they could and that I was very sure that French interests would, in due time, have an opportunity to state their views.

M. Baudet then said that they had contracts with Pan American Airways dating back to 1939, and he wondered whether they were to be superseded and a new basis reached, or whether we were to take up these particular agreements. I said I did not care to discuss the question at all piecemeal; in any event, I thought we had to arrive at some general principles before taking up specific cases.

A. A. B[ERLE], JR.

800.796/560 : Telegram

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

LONDON, February 27, 1944—9 p. m.
[Received February 27—7:35 p. m.]

1596. The increased number of participants invited to the preliminary discussions in Washington has caused the preparations to be considered on higher levels here. Thus the proposed reply to the British Embassy's telegram to the Foreign Office apparently containing somewhat similar information to the Department's 1362, February 23, 6 [10] p. m.³⁸ is being considered in the Civil Air Transport Committee of the Cabinet which meets Thursday. We are told by Beaverbrooks' office that inclusion of Russia, China and particularly Brazil and "possibly other South American countries" may raise questions which will be difficult to settle here before the third week in March.

WINANT

³⁸ See footnote 35, p. 389.

800.796/563 : Telegram

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

Moscow, February 28, 1944—1 p. m.
[Received February 29—12:10 a. m.]

663. In reply to a note from the Embassy based on Department's 309, February 15, 7 [8] p. m., Mr. Molotov³⁷ tells me in a note dated February 26 that the Soviet Government agrees to take part in the preliminary negotiations on the subject of postwar civil aviation and would like to receive from the United States Government preliminary material and proposals on the questions which will come up for discussion during the negotiations.

Mr. Molotov's reply was evidently sent before receipt of my second letter to him based on the Department's 389, February 23, 9 p. m.

HARRIMAN

800.796/564

The Department of State to the Canadian Embassy

MEMORANDUM

The Department of State is grateful for the Canadian Embassy's memorandum of February 7, 1944,³⁸ transmitting copies of a memorandum outlining the views of the Canadian Government regarding international air transport, including a proposal for establishing an International Air Transport Authority, which has been read with great interest.

The United States Government hopes to be in a position to furnish the Canadian Government with a summary of its views on the development of international air transportation at an early date. In the meantime, it is believed that the suggested agenda regarding proposed preliminary conversations on this subject, which was given to Mr. Pearson on February 15, will furnish the Canadian Government with a general indication of the points which the United States Government believes might be suitable for exploratory discussions at this stage.

WASHINGTON, February 28, 1944.

³⁷ Vyacheslav Mikhailovich Molotov, Soviet People's Commissar for Foreign Affairs.

³⁸ *Ante*, p. 370.

800.796/562 : Telegram

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

LONDON, February 28, 1944—midnight.

[Received February 29—10: 15 p. m.]

1634. Reference Department's 1362, February 23, 10 p. m.³⁹ The Embassy has a copy of the British aviation agenda. The tone and emphasis of the agenda accurately and fully reflect the general British view of regarding their participation in the international aviation primarily as an adjunct of security rather than as a commercial enterprise. It also reflects the British apprehension that they may be swamped competitively by United States aviation and their consequent desire to guarantee themselves a percentage, even though small, of the available business. As the Embassy has reported, one of the apparent points in British policy is to bring their general weight, prestige, and probable strong position in whatever international security arrangements which may be made, to the support and protection of what they fear would otherwise be a second class aviation industry, both manufacturing and operational.

Specifically, they will probably want to endow the international authority with more economic power than opinion in the United States has given any indication of supporting. (Incidentally we learn that the air representatives of several of the smaller nations, such as the Netherlands and Sweden, do not look with favor on very much economic control being given to an international body, since their air aspirations exceed their relative political and economic weight.)

We are inclined to think (point (2) of the Agenda) that what the British chiefly mean by the regulation of uneconomic competition is an arrangement which might under certain conditions not permit the most efficient operators or manufacturers to translate their improved efficiency into lower passenger and freight costs, greater speed or improved service. This, of course, might mean that we might not always be able to take full advantage of our competitive position. We feel they will want to limit the allocation of routes on Empire services and perhaps restrict the operations of certain routes, such as the Atlantic, to a fewer number of countries than would normally wish to operate these routes. They may advance the principle that inter-Empire traffic be considered as cabotage. They interpret the United States Civil Aeronautics Act as preventing the opening up of traffic between the Canal Zone and the United States, etc., to non-United States flag operators. They believe that this is comparable to considering England-Newfoundland traffic, for example, as cabotage.

³⁹ See footnote 35, p. 389.

We repeat that we do not expect them to hold to this view, but they will probably use it as a bargaining point.

While as stated in the foregoing, the British seek guarantees, they will want the arrangements sufficiently flexible so that if their manufacturers should really come forth with a super airplane and their air lines fly it super efficiently, they would not be unable to take advantage of these facts.

On the subsidy question there is of course a great difference of opinion. Beaverbrook's office professes to be against subsidy. The Air Ministry is against it in principle but apparently for it in controlled form in specific cases. (Warner's⁴⁰ articles however have had a deep influence on Hildred.) The Foreign Office would probably exercise influence against too strict agreements against subsidy, but all are keenly aware of the dangers of subsidy races. The shipping companies which expect to engage in aviation say they are against subsidies of any kind, but this may be the result of their estimation that they have a better chance of having the subsidy taken away from BOAC⁴¹ than they have of getting one for themselves. (If the United States follows vigorously the principle that subsidy not be permitted except in limited agreed to and specified circumstances including prohibition of operating air service is [*sic*] at a loss even though unsubsidized by the Government, we think there is a good chance that the British will be forced to limber up somewhat on their desire to control strictly the connected matters of frequency and rates.)

If Beaverbrook makes his expected statement in the House of Lords against monopoly and against the principles of subsidy, it will probably mean that in his opinion, and perhaps in the opinion of the Government as a whole, the plans of the shipping companies, railroads, et cetera, to engage in aviation, which he has been encouraging, look sufficiently promising to enable the Government to modify somewhat its defensive attitude.

Section (3). This is a subject which should present no difficulty. The British are willing to contribute to the construction, maintenance and operation of international airports not only in their own territory but in countries unable or unwilling to meet the standards required. (This is in addition to responsibility for airports needed for international security reasons.)

Section (4) should cause no difficulty. There is some disagreement here as to what level the arbitration machinery should be on. That is, whether entirely governmental, mixed government-operator, or entirely among operators. They seem to think the latter would be too close to a possible cartel to be acceptable. With respect

⁴⁰ Edward Warner, Vice Chairman, Civil Aeronautics Board.

⁴¹ British Overseas Airways Corporation.

to section (5), that is freedom of the air, the comments on the entire agenda apply. For Empire reasons, the British are fully aware they must subscribe to a degree of freedom of the air sufficient to enable them to fly to and across the Colonies and Dominions for purpose of maintaining influence on the Continent. They realize they must also subscribe to a policy of sufficient freedom of the air to permit them to fly to and across the European countries, and to participate in developments there. Emotionally they link it to their traditional policy of freedom of the seas; furthermore, as a broad principle they are committed to it, even though their list of exceptions might be long and their fear of it great.

The question of international operating agencies is one to which the British have given much thought. As the Department is aware, a certain sector of British opinion would like to see all international aviation owned and operated by an international body. The British are fully aware, however, that even if such a doctrine would be acceptable here, which is improbable, it would not be acceptable to the United States. They do believe that for the Axis nations and probably for internal flying in Europe, at least for some years, an international operating agency is the only answer. (The air lines of the non-Axis European countries flying from Europe to points outside of Europe probably would not be included in the international operating agency. Thus Sabent, LKM,⁴² et cetera would only be affected insofar as their European services are concerned).

Under point 2 (*International Air Transport Authority*) most of the points previously mentioned are restated. Paragraphs (2), (6), (7), (11), (12) echo the restrictive tone running through the statement of general principles.

The British believe that a failure to come to at least some agreement in the preliminary talks and in the full international conference would be disastrous. It is probable that overriding all specific points and doubts, is the considered view of the Government that there must be some sort of Anglo-American understanding on the air question.

The agenda is largely the work of Peter Masefield, who came back from his trip to the United States thoroughly frightened by the potentialities of United States international civil aviation.

Many of the above remarks may need reappraisal and change of emphasis during the next few weeks; as we note them we will report currently on such changes.

WINANT

⁴² Presumably Sabena and KLM airlines.

800.796/597

The First Secretary of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

Ref. 56/82/44

WASHINGTON, February 29, 1944.

MY DEAR MR. BERLE: Following our conversation on February 23rd, I am enclosing an extract of a report sent to London by the Ambassador giving the substance of our conversation and of your memorandum of February 23rd. We agreed by telephone that in reporting to London, the Ambassador should substitute this record for the text of the memorandum, since the latter might give London the wrong impression that the United States Government were proceeding without waiting for a reply from London.

If on reading over the enclosed text there are any points you would like to raise, I hope you will let me know.

Yours sincerely,

MICHAEL WRIGHT

[Enclosure]

Extract From Report Sent to London

If the three Dominion Governments were invited, it would be impossible for the United States Government not to ask Brazil and probably Mexico also. They had been considering for the past two days what they could suggest to meet our wishes, and now submitted the following proposals in an attempt to do so. Their idea is that instead of a joint discussion between the powers concerned, conversations between the United States Government and representatives of the United Kingdom Government and the Canadian Government should take place in Washington as bilateral conversations between representatives of the United States Government on the one hand and of the other two Governments respectively on the other. These would take place as far as possible simultaneously. The United States Government would ask the Soviet and Chinese Governments whether they would agree to engage in similar bilateral conversations with the United States Government in Washington at about the same time. The United States Government would extend similar invitations to the Australian, New Zealand and South African Government, and to the Brazilian and probably to the Mexican Government; and it would probably be necessary to do the same with the Netherlands Government and the French National Committee (if a suitable formula for inviting the latter could be found). The talks with the Governments other than the United Kingdom, Canada, Russia and China would, as far as physically possible, be simultaneous but might have to overlap or to be a few days or more later. The United States Government would keep each Government informed of the talks with the others.

The announced purpose of these bilateral exchanges of views would be to pave the way for the holding of a United Nations civil aviation conference at the earliest possible moment at which it appeared that there existed a sufficiently broad area of common understanding among a sizable nucleus of countries. It was still hoped that talks could begin about the third week in March, and the United Nations Conference before the end of the summer.

The United States Government hoped that they would at least be able to work out a basis for future air relations with the British Commonwealth, which could be put into force, even if, contrary to their wish and expectation, delay or difficulties should arise in the conclusion of a general United Nations agreement.

The United States Government presumed that in speaking of "a full international conference" we had in mind a United Nations conference, and were not thinking of including neutral governments. If, however, we wished to include any particular neutral governments, such as the Portuguese Government, they felt sure we could find some formula to bring them in without admitting all neutral governments.

The United States Government presumed that the United Kingdom Government would speak for all parts of the Empire, including India, other than the self-governing Dominions.

800.796/567 : Telegram

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

LONDON, March 1, 1944—9 p. m.
[Received March 1—8:43 p. m.]

1689. Beaverbrook is considering a suggestion, which may be discussed Thursday at the meeting of the Air Transport Committee of the Cabinet, that the United States be requested to call a general United Nations air conference without any prior announced preliminary discussions among some of the nations. At the same time it would be suggested that Lord Beaverbrook exchange informal views with the United States only during a few days or a week before the opening of the general meeting. If some such arrangement cannot be worked out there is some feeling here that there are only three possibilities, (1) a reversion to the "original" plan of preliminary Anglo-United States talks only, (2) a full United Nations conference (perhaps with some neutrals) without any preliminary discussions or (3) a postponement of the discussions.

The British have received a communication from Canada protesting against the inclusion of the other Dominions in the preliminary talks.

With reference to the Department's instruction No. 3744, February 16, Beaverbrook's office has on numerous occasions pointed out that the British Government did not want or expect the Canadians to be present at the preliminary discussions.

WINANT

800.796/566 : Telegram

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

LONDON, March 1, 1944—9 p. m.

[Received March 1—8:49 p. m.]

1691. In connection with the proposed agenda for aviation discussions with the British, it is suggested that consideration be given to including a provision on the terms of sale and licensing of aircraft exported. We understand the British are thinking about giving special inducements to foreign purchasers to buy British airplanes. For example, it has been reported in the press that KLM has ordered Tudors. While this is not generally believed, it may be that the inducements have been sufficient to cause them to order a type of airplane of which not even the prototype has been built.

WINANT

800.796/596

The First Secretary of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

Ref. 56/83/44

WASHINGTON, March 2, 1944.

MY DEAR MR. BERLE: With reference to the second paragraph of my letter of February 25th,⁴³ about the reported proposed meeting of the Prime Ministers of the Commonwealth countries,⁴⁴ I write to tell you that we have now heard from London that the agenda of the meeting has not yet been settled and that, though it is likely that there will be a discussion on civil aviation, there is no foundation for the suggestion in the newspaper report that air policy will be a paramount consideration at the meeting.

Yours sincerely,

MICHAEL WRIGHT

⁴³ Not printed.

⁴⁴ The conference of the Prime Ministers of the British Commonwealth was held May 1-16, 1944.

800.796/573 : Telegram

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

LONDON, March 2, 1944—8 p. m.

[Received 8:37 p. m.]

1724. Result of long meeting of Air Transport Committee of the Cabinet today was decision to suggest that Government propose to Washington that a United Nations Civil Aviation Conference be called and held in North Africa as soon as possible. Preliminary discussions would not be held. We get the impression that they do not want neutrals because they do not want Spain present and that they most emphatically do not look with favor on Ottawa as a site. It is expected that if recommendation is accepted, the British Embassy in Washington will be notified of the foregoing over the weekend.

WINANT

800.796/574 : Telegram

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

LONDON, March 3, 1944—3 p. m.

[Received March 3—12:13 p. m.]

1733. Consensus, with which we agree, is that Tuesday's⁴⁵ wordy debate on civil aviation in the House of Commons has little significance and will have little effect on British domestic or international air policy. Elements of the Labor Party as the Department is aware favor the internationalization of control and ownership of international aviation and the emphasis given to this aspect of the problem may cause the Government to try to give more weight than it otherwise intended to the international control mechanisms for civil aviation agreements which it reaches with other countries.

Copies of the debate are being sent by air mail.⁴⁶

WINANT

800.796/716

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

[WASHINGTON,] March 3, 1944.

Mr. Wright came in to see me at my request. I told him that I had nothing very definite in mind but that preliminary reports from

⁴⁵ February 29.

⁴⁶ In despatch 14214, March 2, 1944, not printed.

London seemed to indicate that our suggestion for bilateral conversations with a number of countries, following their suggestion to bring in Australia, New Zealand, and South Africa, had not been meeting with much favor in London, and that there was some sentiment for a fairly large conference to be held straight off the bat. I said that I hoped it was clear to the British Government that our suggestion in regard to the Canadians had been due to the plain functional necessity of having Canada in at the beginning, in view of the fact that she was the greatest single corridor through which American overseas aviation would have to fly. We had no other thought in mind in including her, than to deal on this common-sense basis. Since it seemed as though this had created some trouble in London, I wanted to explore whether there was any way of bringing this to a swift and successful result.

Mr. Wright said that he could only think aloud on the subject. They had been worried about the fact that the minute a cabinet minister such as Lord Beaverbrook was displaced (by which he meant brought away from London) a number of other people wanted to join the party. He felt that one of two possibilities might be explored—either the exchange of views through the diplomatic channel which raised no questions as to invitations or the like; or the alternative, someone from here might go on a quiet trip to London, possibly via Ottawa. He thought that as ideas ran we could get up a declaration which would embody a very large measure of agreement, and this could take matters quite a bit forward. I agreed that the matter was very much worth considering, saying that our interest was merely that of getting things started off on as favorable a basis as possible.

A. A. B[ERLE], JR.

800.796/563 : Telegram

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

WASHINGTON, March 3, 1944—midnight.

475. The following is the draft agenda proposed by this Government for the preliminary discussions on international civil aviation mentioned in the Department's 389, February 23, 9 p. m., also referred to in your 663, February 28, 1 p. m.

[Here follows text of draft agenda printed on page 378.]

It is believed that our proposed agenda will give the Soviet Government a general idea of the major subjects which we believe would merit consideration in these exploratory talks. You may wish to inquire whether the Soviet Government has any suggestions for ad-

ditional points to be considered. In any event, it would be very helpful if you could telegraph at an early opportunity a summary of any information obtainable on the Russian views and supporting arguments on each of the items mentioned above, as well as on any subjects they may wish to add. In our proposed bilateral discussions we anticipate that the British, Canadians and possibly others will support proposals for an international air transport authority to have certain regulatory powers, and Russian views on this subject also would be of decided interest.

STETTINIUS

800.796/716

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

[WASHINGTON,] March 4, 1944.

The Canadian Minister Counselor came in to see me at his request. He wished to speak about aviation. He inquired as to the general state of exchanges regarding exploratory conversations. He said that his Government had considered the plan proposed for bilateral conversations with the British, the Canadians, the Chinese, the Soviet Union, and others, and they were disposed to accept it. He said that, while he did not wish it to get back to the British Government, he hoped we would talk to them first or in any case simultaneously with the British.

I said that as yet we had no word from the British.

A. A. B[ERLE], JR.

800.796/577: Telegram

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

LONDON, March 4, 1944—11 a. m.

[Received March 4—8:15 a. m.]

1767. See Embassy's 1724, March 2, 8 p. m. We understand a telegram was sent last night to the British Embassy in Washington proposing that preliminary and exploratory conferences composed of British Commonwealth and India, Russia, China, Mexico, Brazil and the French National Committee be held as soon as possible at Marrakech. No preliminary discussions would be held in Washington. We understand that it is contemplated that this conference would be followed by a further meeting in which the other United Nations would be present.

WINANT

800.796/578 : Telegram

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

LONDON, March 4, 1944—6 p. m.

[Received 9:54 p. m.]

1768. Reference Department's telegram No. 1208, February 17, 11 p. m. and Embassy's despatch No. 14058 of February 23.⁴⁷ We learn that the British Government has requested Canada to withdraw the provision contained in its proposed aviation agenda, providing that air traffic between contiguous territory not be considered international. We understand that Canada has agreed to do this. The Air Ministry does not like the Canadian proposal for an international authority and is working on a separate one.

WINANT

800.796/580 : Telegram

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

LONDON, March 6, 1944—7 p. m.

[Received March 6—4:56 p. m.]

1823. Reference Embassy's telegrams 1724, March 2 and 1767, March 4. Foreign Office has a report from the British Embassy in Washington that Department informed member of British Embassy when latter discussed recent proposals for preliminary aviation conference that this Embassy had already reported this information to the Department. I greatly fear that our sources of information on aviation in the British Government will be jeopardized by this disclosure. I would like to point out that our purpose in sending telegrams 1724, March 2 and 1767 March 4 was to give the Department additional time to consider the questions raised prior to being notified thereof by the British Embassy, in the event the course mentioned was finally approved by the British Government.

WINANT

⁴⁷ Latter not printed.

800.796/716

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

[WASHINGTON,] March 6, 1944.

The Soviet Ambassador ^{47a} came in to see me at my request. I said that I wished to give him, for his information, the present state of exchanges regarding exploratory conversations on aviation.

I said that late last year the British Government had proposed bilateral conversations between them and ourselves. At the same time the Canadians had indicated that they, too, wished to be heard in the matter.

In due time we had answered the British, saying that we should be glad to chat with them but that we likewise wished the Canadians to join. We also suggested that we should be glad to have representatives of the Soviet Union present if the Soviet Government were interested therein; and that, if there were no objections, we proposed to invite the Chinese. I said that, contrary to press reports, this was at the initiative of the United States, and of the Department, specifically myself, though this was merely because it was the Department's policy to bring the Soviet Union into any matter which related to United Nations activity. I said that we had made it clear that we hoped the result of the proposed exploratory conversations would be the holding of a United Nations aviation conference later in the year. I said that we thereupon had cabled the Soviet Government under date of February 15.

The Soviet Ambassador said that he was familiar with the exchanges between Mr. Harriman and Mr. Molotov.

I said thereafter the British Government had assented to the suggestion of exploratory conversations between us, the British, the Chinese if they care to join, and Canada, but had asked that in that case the other British Dominions should be present, namely, Australia, South Africa, and New Zealand. We had responded that, while we were glad to do that, if the Australians, South Africans, and New Zealanders were present, there was no legitimate argument why other countries, including South American countries, as well as the Netherlands, the French National Committee, and others, should not be present, since they had equal interest.

In consequence, we had proposed a series of bilateral conversations commencing with the British, the Soviet Union, the Chinese, and the Canadians, to be followed right up by conversations with the necessary South American countries and the necessary European countries, all preparatory to a United Nations conference to be held later in the year.

^{47a} Andrey Andreyevich Gromyko.

This proposal was presently outstanding with the British Government, and we had not yet received a reply.

The Soviet Ambassador asked whether we had informed the Canadians of this, and whether they had accepted; and I told him they had been informed and had agreed. He then asked whether we had informed the Chinese. I said we had not but expected to do so on learning that there was no objection, and we assumed that there would be none.

I said that in view of the fact that there had been certain stories published in this regard, I thought it might be well for him to be fully informed on the state of the record.

The Ambassador asked if I had any idea of the possible date of a United Nations conference. I told him that I did not see how we could know that until the exploratory conversations had gone forward; we had rather hoped that it might be this summer.

The Ambassador thanked me for the information and said that it might be necessary for them to consider what men they would send. He asked who would handle it on our side. I told him that we had asked Ambassador Grew⁴⁸ to head up the group for the United States; he would be assisted by technicians and others. The Ambassador asked whether I expected to join, and I said that I probably would be on hand to be of whatever help I could.

I gathered that the Ambassador had likewise read the published reports and was glad to have the exact record.

A. A. B[ERLE], JR.

800.796/685

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

[WASHINGTON,] March 7, 1944.

Mr. Wright came in to see me at his request. He gave me the substance of a message that he had received from the Foreign Office in answer to our suggestion for a series of bilateral conversations on aviation.

He said that H.M.G. was agreeable to having discussions preparatory to a United Nations meeting; that it was agreed that these must cover a fairly wide range; and that, after discussion, they had felt that a considerable number of countries should be in the picture from the beginning. They therefore proposed that a conference in the nature of a preparatory conference should be held between Great Britain, the United States, Canada, Russia, China, Brazil, Mexico,

⁴⁸ Joseph C. Grew, Special Assistant to the Secretary of State; on May 1, 1944, Mr. Grew was appointed Director of the Office of Far Eastern Affairs, and on December 20, 1944, was named Under Secretary of State.

Australia, New Zealand, South Africa, the Netherlands, France, India, and probably Belgium. The said conference, it was thought, should not be in either England or North America; accordingly they suggested an appropriate place in North Africa.

I said I was glad to see that we were in agreement on the proposal to have a United Nations conference; that it was agreed that preparatory discussions had to cover a fairly wide range; and that the only question remaining seems to be one of method. I pointed out that to hold a preparatory conference of 13 nations—14, since they asked that India be separately represented—was almost as difficult as holding a United Nations conference to start out, and of course raised questions from other countries who were not invited. I wondered if this had been considered. Mr. Wright said somewhat ruefully that he had no other instructions than these, but he left no doubt that he was somewhat staggered by this proposition.

I said that we would study the proposal. Meanwhile, I hoped he would assure his Government that we were approaching the matter with the greatest desire to find a practicable method for getting things started—as indeed I was sure they were doing.

A. A. B[ERLE], JR.

800.796/716

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

[WASHINGTON,] March 8, 1944.

Mr. Michael Wright came to see me at my request. I told him that we had considered sympathetically the suggestion of H.M.G. that we have a 14-nation conference on aviation in North Africa. I told him that while we much appreciated the desire of H.M.G. to seek a workable method, we frankly could not see it. We thought that such a conference would have all the difficulties of a United Nations conference, and perhaps a few more besides.

I then reviewed the matter historically, namely:

That the U.K. had proposed bilateral conversations to us. We were very agreeable to that but felt that in order to make such a conversation productive, we should also have to consult the views of certain other powers: the Canadians, for geographic and functional reasons; the Russians and the Chinese for political and possibly also functional reasons.

When the British had accepted this idea but proposed adding the Commonwealth countries, we were forced to point out that a good many other countries had considerably better right to enter the conversations than, let us say, New Zealand or South Africa. Hence the present impasse. I said that we were a little surprised at the 180

degree shift in direction from the original proposal of quiet bilateral exchanges of views to the proposal for a 14-nation conference. Accordingly, I hoped that His Majesty's Government would reconsider our earlier proposal for bilateral conversations which might include Canada, the Soviet Union, and China, as well as the U.K.

Mr. Wright said he thought that merely proposing to go back to something already rejected would accomplish nothing. I said that I did not consider any later suggestion had come off Mount Sinai and that I felt that the earlier suggestion should be considered.

Mr. Wright then said he wanted to think aloud and wondered whether we could not cobble it up in some fashion so as to make it look more attractive. He said, could we start with the British in London and then follow up with conversations with the Canadians and so forth. I said it seemed to me this led to the same thing. We could not say anything very definite in London unless we and they knew the Canadian view. Conversations would, therefore, simply mean that we were pausing to ascertain the Canadian views through diplomatic channels, and almost by sheer force of gravity we would be in simultaneous bilateral conversations. Mr. Wright more or less agreed, but said he thought this might be a way of doing it. I said that I was not clear whether this method would suit the Russians, who were formal about these things, and who would probably want an exactly similar kind of exchange as that proceeding with the British.

Mr. Wright asked whether we would perhaps be agreeable to offering to hold the conversations in London, on the basis of the five powers originally suggested. I said I wanted to reserve judgment on that; my colleagues in the Department had not evinced any enthusiasm for any proposal other than that which we previously made.

Mr. Wright said he would cable this home, but he wanted to go on thinking to see if he could work out a way of getting the arrangements started. I told him that I thought he had best make it clear that we rather liked our original suggestion.

A. A. B[ERLE], JR.

800.796/593 : Telegram

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

LONDON, March 9, 1944—5 p. m.
[Received 7:31 p. m.]

1914. It is suggested that the Department consider the following:

1. Agreement by the Department to British proposal for preliminary aviation conferences in North Africa and to their list of countries, if as we understand, the Dutch and Belgians were included in

the telegram which we hear went to the British Embassy in Washington on Monday.

2. That we suggest and announce that continuing exploratory conversations be held either on a bi-lateral or a multi-lateral basis, or both with other interested United Nations and possibly with some neutrals.

3. That the British agree to support whatever site we pick for the main conference, as a condition to our agreeing to the North African talks.

Yielding on minor points such as the locale and general participation of the preliminary conference, will undoubtedly put us in a better position to insist on essentials.

We are afraid if we do not agree to the exploratory conference in North Africa, decision on the civil air problem will be delayed; the United States will slowly lose the initiative and risk the possibility of being faced, when the general conference opens, with a bloc consisting of some of the Europeans and some of the Dominions, under British guidance. I think it is to our advantage to arrest a trend beginning to be discernible towards a more and more restricted and cautious outlook on civil aviation on the part of the British. They quite naturally wish to convert the Dominions and at least the smaller European countries to this view. I am quite sure that now our influence can be controlling, but that indecision on our part will progressively weaken our advantage.

WINANT

841.796/596 : Telegram

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

LONDON, March 9, 1944—5 p. m.

[Received 11:19 p. m.]

1915. It is expected that the debate on civil aviation scheduled to take place next week in the House of Commons and directed by Ronald Tree⁴⁹ and his group will bring out into the open the bitter undercover fight which has been going on on the subject of monopoly versus competition and separation of civil aviation from the Air Ministry.

It is possible, we hear, that if as is likely this debate becomes violent the British Government, particularly the Foreign Office and the Air Ministry, may wish to delay the preliminary aviation discussions. Therefore if the Department wishes to have these discussions held promptly it might be prudent to reply before next Tuesday⁵⁰ to the

⁴⁹ Conservative Member of the British Parliament.

⁵⁰ March 14.

British proposal which we learn confidentially was sent to the British Embassy in Washington on March 6.

WINANT

800.796/603 : Telegram

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

LONDON, March 9, 1944—10 p. m.
[Received March 10—6:35 a. m.]

1943. For Assistant Secretary Berle. Since sending our 1195 [1915?], March 9, this morning I had lunch with Beaverbrook. What he really wants is for you to come over here to have an informal conversation with him. I think both he and the Prime Minister believe that there are subjects of controversy between us that might easily be settled but if thrown into an international conference with some 16 other countries might be magnified and lead to misunderstandings. The question of an international authority and subsidies (he opposes subsidies beyond a fair mail rate), he understood to be matters for general discussion, but he also mentioned specifically items that he felt concerned the two countries particularly. They were (1) air bases built by American money but on British territory, (2) the Atlantic traffic, (3) South American traffic, (4) Middle Eastern traffic.

He told me in the course of our conversation that at the Dominions meeting, at which he presided, the other Dominions were not willing to have Canada have a preferred position in air conversations between the United States, Great Britain and Canada, with them left out. He told me that since we had decided to include 16 nations in the conference, without adequate preparation and any understanding between the United States and Great Britain in regard to the particular problems between them, it might be unproductive. At the same time he urged the need for prompt action. He was very frank in saying he preferred competition between three or four British companies as against the chosen instrument, but if Parliament should not be in agreement he did not propose to fight its decision.

He asked me if I had read his speech to the House of Lords. I told him I had. He said he had shown it to no one except the Prime Minister who after reading it had only made a single change, substituting for the phrase "all governments" the words "Allied Governments".

He told me he would show me a message from you which had come in last night, but he did not do so. I asked him if radio aid to avia-

tion, AFI communications were not a matter of concern in any country engaging in civil aviation after the war. He said, of course, that would be a subject of vital interest and particularly so in relation to stations in British territory.

I personally feel we cannot over emphasize the value of radio aids in post war civil aviation. I am sending you a summary of a speech by Sir Robert Watson-Watt⁵¹ at the recently concluded Empire Technical Aviation Conference. I was the only person present outside the British and Dominions representatives.

WINANT

800.796/716

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

[WASHINGTON,] March 10, 1944.

Mr. Michael Wright came in to see me at his request. He expressed horror at the fact that the entire text of the British aviation agenda had appeared in this morning's *Aviation Daily*, along with a note that the Canadian agenda would be published in the *Aviation Daily* in a day or so.

I told him in confidence that my distinct impression was that Wayne Parrish⁵² had a pipeline to Beaverbrook's office, and that I was pretty clear that the leak was in London.

A. A. B[ERLE], JR.

P.S.—This statement probably may deprive us of some information from London. But I should infinitely prefer to be less well informed about the mind of Lord Beaverbrook's office than to have the confidential files going to Beaverbrook (including our own) tossed out into the newspapers without advance knowledge.

P.S. (by Mr. Hickerson)—Mr. Hickerson told me after Mr. Wright departed that Pearson, Minister Counselor of the Canadian Embassy, had told him last night that Parrish had all of this material and would publish it in the next few days. Pearson added that Parrish also had a 23-page text of the Canadian draft international aviation agreement, and that for the present he proposed to publish a summary of it, and perhaps publish the text later on. Mr. Pearson volunteered the information that since no copies of this draft agreement had been sent to the American Government, since Parrish had recently

⁵¹ Vice Controller of Communications Equipment, British Ministry of Aircraft Production; also Scientific Adviser on Telecommunications, British Air Ministry. Text of the speech was transmitted in telegram 1975, March 10, from London; not printed.

⁵² Editor of *Aviation Daily*.

returned from London where they had copies of the draft, and since Parrish had not been in touch with any Canadian officials who had access to the draft, this clearly meant to the Canadian Government that Parrish had obtained all of these texts in London.

800.796/617

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] March 10, 1944.

The British Ambassador came in at his request. He said he had proposed to Mr. Berle that aviation conversations be held in London instead of Washington and that Mr. Berle could drop over there quietly and have some informal conversations, that he might stop off at Ottawa en route and talk informally with Canadian officials, and that the Russian Government could be dealt with in a way satisfactory to all so far as conversations are concerned. I said to him that I would let him know soon—that the matter would have to go to the President.

C[ORDELL] H[ULL]

800.796/740

The Canadian Embassy to the Department of State

MEMORANDUM

With its memorandum of February 7th the Canadian Embassy enclosed copies of a memorandum outlining the matters which, in the view of the Canadian Government, might fall within the scope of a multilateral air transport convention.

Enclosed for the confidential information of the United States Government are eight copies of the draft of such a convention.⁵³ This draft is a tentative and provisional statement of the policy of the Canadian Government.

The Canadian Government is most anxious to receive at an early date the preliminary views of the United States Government on the general subject of postwar civil aviation.

WASHINGTON, March 11, 1944.

⁵³ For text of the draft international air transport convention, see Canada, *House of Commons Debates*, vol. 82, No. 33, pp. 1626-1633.

800.796/606 : Telegram

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

LONDON, March 11, 1944—11 p. m.

[Received March 11—6:10 a. m.]

2014. We hear that the Foreign Office, Beaverbrook's office and the Air Ministry are incensed by the articles said to have appeared in the *Aviation Daily* during the last few days publishing British and United States aviation agenda and promising to publish the Canadian agenda, et cetera. Reference Embassy's telegrams 1823, March 6, 7 p. m. and 1857, March 7, 8 p. m.⁵⁴ and also first paragraph top of page 2 of Satterthwaite's letter to Walstrom of February 22.⁵⁵

Will you please cable me the facts in regard to the alleged publication.

WINANT

800.796/672

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

[WASHINGTON,] March 13, 1944.

Mr. Wright telephoned me to ask whether there was any news in respect to aviation. In answering his call, I told him that the President and the Secretary had now okayed a quiet trip to London, presumably by myself and possibly with one man from the Civil Aeronautics Board, stopping to talk to the Canadians en route. I said, however, that we were instructed to keep the Soviets informed and generally be as receptive to their desires as might be necessary in the situation.

Mr. Wright said that he was entirely sure that this would be all right with his Government; he wished, however, to cable them about the Soviet angle and he hoped to have an answer in twenty-four hours. He did not expect that this would raise any difficulties. He did suggest, however, that we might await their answer before notifying the Soviet Government, which I said I would do.

A. A. B[ERLE], JR.

⁵⁴ Latter not printed.

⁵⁵ Not found in Department files.

800.796/655

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

[WASHINGTON,] March 13, 1944.

The Australian Minister ^{55a} came in by direction of his Government to say that Dr. Evatt ⁵⁶ had received reports that the United States proposed to have an air conference with Great Britain and Canada. He was surprised that Australia should be excluded from such a conference, particularly in view of the fact that Australia and New Zealand had already stated, publicly, their considered views on aviation. Dr. Evatt thought it obvious that if Canada were present, the Australians should likewise be present.

They were likewise disturbed about the leakages of news. I said that we, too, were disturbed about news leakages, the more so because they were generally not correct.

I told him that we were somewhat surprised that anyone had attributed to us, even by way of unofficial reports, any intent to "exclude" the Commonwealth of Australia. We were endeavoring to work out a procedure for the preparatory work for a United Nations conference on air matters. We had never thought of excluding Australia either from the United Nations conference or from the preparatory work. Obviously the preparatory work had to be started somewhere; we could not start everywhere at once. Actually, we had both hoped and planned as soon as arrangements could be worked out, to have exploratory talks with substantially all the people interested, of course including Australia.

I likewise said that I thought on consideration Dr. Evatt would realize that there was a special geographic relationship existing between Canada and the United States through the simple physical fact of proximity, and through her position as a great aerial corridor. I thought Dr. Evatt would recognize that it would be natural for us to try to understand the North American situation as a necessary part of discussion with anyone else.

I added that we had not felt aggrieved because the Commonwealth countries had recently held a conference on air matters in London to which the United States was not invited, since we recognized that they, too, had to start somewhere. Though the political relationships were quite different, geographic relationships existed for us.

I hoped, accordingly, that the Minister would succeed in allaying any worries which might exist in Dr. Evatt's mind.

^{55a} Sir Owen Dixon.

⁵⁶ Herbert V. Evatt, Australian Minister for External Affairs.

The Minister said that the Prime Minister⁵⁷ was coming here on his way to London, leaving Australia about the tenth of April; he hoped to clear up here methods of procedure of protocol on dealing with United Nations matters; that Curtin was an eminently reasonable man and that he thought that the whole process of United Nations procedure might be helped by his visit. I said I was very sure this was so. The problem that we had—which was of course recurrent—was simply how to get the necessary preparatory work started so that everyone had a chance to be heard.

The Minister added that the Australian view was very strongly in favor of internationalized aviation service; and he thought that Australia's real interest was to present that view as cogently as it could to the United States at an early date. I said I was entirely sure that they would have every opportunity to do so.

A. A. B[ERLE], JR.

800.796/612 : Telegram

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

LONDON, March 13, 1944—7 p. m.

[Received 9:12 p. m.]

2025. See Embassy's telegram 1943, March 9 and 755, January 27. There is summarized below an agenda of topics which British radio aviation technicians would like to discuss in Washington on an informal basis with the appropriate representatives of the Civil Aeronautics Administration.

1. Use of military radio equipment on international air routes in the immediate post war period, that is types technically desirable.

2. Civil aviation radio systems to be proposed for international standardization at the first international aeronautical conference after the war.

3. Program for the long term development of further radio aids of greater promise.

4. Standardization of regulations governing the compulsory carriage of radio equipment appropriate to categories of aircraft and operations in question.

5. Standardization of technical requirements for design approval and certification of civil aircraft radio equipment and its installation.

6. Adoption of preferred standards for physical characteristics governing the installational interchangeability of aircraft radio equipment.

7. Standardization of aircraft radio power supplies.

8. Impact of new aeronautical radio devices upon the necessary qualifications of operating and maintenance personnel.

⁵⁷ John Curtin.

This agenda was prepared by Sir Robert Watson-Watt and Duncan,⁵⁸ Jeffcock⁵⁹ and was given to the Embassy informally with the request that it be presented to William Burden⁶⁰ for his information, comment and for the addition of any useful subjects not included which might be discussed between technical representatives of the two countries.

Jeffcock says they are ready to begin discussions as soon as the Cabinet here gives its formal permission which he expects will be forthcoming shortly. He and Watson-Watt are anxious to keep whatever discussions may be held on these subjects separate and distinct and at a different time from any general aviation discussions.

WINANT

800.796/613 : Telegram

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

LONDON, March 14, 1944—5 p. m.

[Received 8:15 p. m.]

2051. For Assistant Secretary Berle. We are not certain of the wisdom of your coming here as Beaverbrook's asking you to London may be connected with a British effort to appear to separate Canada from us. I do believe that if you could let Beaverbrook know that you would have a private talk with him on those subjects which are primarily problems between the British and ourselves it would create much good will here and I should think be a helpful procedure. This could be done by pre-arrangement wherever the conference is held. In my 1943, March 9 I stated to you my own conviction that communication aids and air transport are inseparable problems. It may seem strange to you that the British have suggested, to precede the general conference, a separate informal meeting in Washington to discuss radio aids to aviation on a technical level. (Reference Embassy's 2025, March 13, 7 p. m.) I think this is due to the fact that the men in charge on the technical levels are completely non-political, and also because they are career Air Ministry or Ministry of Aircraft Production officials. There is very good cooperation between Sinclair⁶¹ and Cripps,⁶² while Beaverbrook is in a different camp. The latter is aware that there is little public interest in this matter, and has given no indication of opposing it.

I would like to stress the confidential nature of our 2025 of March 13.

WINANT

⁵⁸ William Aver Duncan, an official of the British Air Ministry.

⁵⁹ Robin J. P. Jeffcock, an official of the British Ministry of Aircraft Production.

⁶⁰ U.S. Assistant Secretary of Commerce for Air.

⁶¹ Sir Archibald Sinclair, British Secretary of State for Air.

⁶² Sir Stafford Cripps, British Minister of Aircraft Production.

800.796/614 : Telegram

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

LONDON, March 14, 1944—11 p. m.

[Received March 14—8:57 p. m.]

2084. For Assistant Secretary Berle. The first sentence in my 2051 March 14, was not written to dissuade you from coming here, but simply based on my assumption of reasons you might have for not coming. I wanted you to come. I hear you are coming. I hope you will come.

WINANT

800.796/624 : Telegram

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

Moscow, March 14, 1944—midnight.

[Received March 16—2:30 p. m.]

858. Department's 475, March 3, midnight. In a note dated March 11 Molotov stated that the draft agenda for negotiations of postwar aviation as well as the questions regarding the authority of an international organization on air transport has been transmitted to the competent Soviet authorities for preliminary study. He states that at the same time he considers it necessary to call attention to the fact that in my note of February 17 (based on Department's 309, February 15, 7 [8] p. m.) I inquired whether the Soviet Government desired to participate in the initial stages of the negotiations mentioned therein whereas the text of the note left no doubt that it was a question of the participation of the Soviet Union in negotiations between the Governments of the United States, Great Britain and Canada. In accordance with such an understanding of our proposal he informed me of the consent of the Soviet Government to participate in these negotiations. He points out, however, that in my note of February 26 (based on Department's 389, February 23, 9 p. m.) and in my note of March 6 (based on Department's 475, March 3, midnight) I mentioned bilateral negotiations on the one part between the United States of America and the U.S.S.R. and on the other, bilateral negotiations between the United States of America, Great Britain and Canada. Molotov expressed the hope that in the near future I will be able to remove the lack of clearness and consistency which appear in this connection in the aforementioned notes.

The wording of the Embassy's first note to the Foreign Office on this subject closely followed Department's telegram No. 309, February 15, 7 [8] p. m. The pertinent sentence read as follows: "I have

been requested to ascertain the degree of interest of the Soviet Government in this matter and whether it would desire to join in discussions at an early stage."

In my note of February 26 based on Department's 389, I informed Molotov that the discussions with the British and Canadians would take place about the third week in March, that my Government would be prepared to begin similar bilateral discussions in Washington with the Soviet Government any time after that convenient to the Soviet Government and that it would be helpful to learn whether the Soviet Government was in principle interested in engaging in such conversations.

I suggest that the Department instruct me urgently on what reply to make. Molotov's reply obviously shows that he does not like the idea of the Soviets being excluded from the initial conversations with the British and the Canadians. I do not think we can take for granted that the Soviets will agree to bilateral conversations with us separate from those with the British.

HARRIMAN

800.796/716

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

[WASHINGTON,] March 16, 1944.

Mr. Wershof^{62a} came in to say that they had heard from the Canadian Government regarding exploratory air conversations, as follows:

- (1) The arrangement suggested was entirely acceptable to the Canadian Government;
- (2) They suggested conversations be held in Ottawa but would be prepared to consider any other suggestion;
- (3) They hoped we would give them very promptly our general ideas so that C. D. Howe, who would be doing the talking, could consider them;
- (4) Mr. Howe is expected to make a full-dress speech in the Canadian Parliament tomorrow (March 17).⁶³ He had promised to do this earlier. In the course of the speech he expected to put on the table the draft convention which the Canadians had proposed to us as embodying their tentative conclusions.

Mr. Wershof explained that they had not wished to make this draft convention public, still less to be in the position of advancing a "Canadian plan". Unhappily, the fact that this document had leaked

^{62a} Max Wershof, Second Secretary of the Canadian Embassy.

⁶³ See Canada, *House of Commons Debates*, vol. 82, No. 33, pp. 1616-1626.

through London to Mr. Wayne Parrish, and that he had published it, now made it necessary for them to state the facts. He pointed out that as to the "leak" they could absolve us. The document had actually been delivered to the State Department on Saturday, March 11, and it now developed that Mr. Wayne Parrish had had it a couple of weeks before that. I told him we had known from London that he had had it.

I said that our only desire was to keep matters on a wholly exploratory level and keep them as quiet as possible. We did not consider that we were settling anything at this point—merely opening exchanges of ideas on a subject which would probably take quite a bit of time—hence I hoped matters could be kept quiet lest people get the idea that commitments were being made, whereas, of course, they were not being made. Mr. Wershof said his Government understood that perfectly.

I told him I would try to get such material for him as we had to offer, as nearly as possible a week before talks actually started. Mr. Wershof said this would be of value: Mr. Howe could then consult his Government about them rather than give snap opinions.

A. A. B[ERLE], JR.

800.786/613 : Telegram

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

WASHINGTON, March 16, 1944—7 p. m.

1987. From Berle. I fully appreciate the reason for the first sentence in your 2051 of March 14. We think we have covered the Canadian angle by an understanding that in the event of such a trip, we would drop off en route and quietly discuss matters with the Canadians. The British are informed and have agreed to this. Do you have other reasons which we should consider?

We expect to be in a position shortly to answer the other suggestion in your 2051, namely, a separate informal meeting in Washington to discuss radio aids on a technical level. [Berle.]

HULL

800.796/606 : Telegram

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

WASHINGTON, March 16, 1944—midnight.

2013. *Aviation Daily* dated March 9 contained fairly accurate summary of United States agenda, mentioned in Embassy's 2014, March

11, 11 p. m. It quoted verbatim the first and second sections of the British agenda and summarized the remaining sections, adding that "it has been established that the British agenda was prepared prior to the submission of the U.S. agenda." The *Daily* said it would publish "a summary of the elaborate Canadian proposal" within a day or two.⁶⁴

The Department also dislikes the publication of this material. When Wright of the British Embassy mentioned the matter to the Department he was told confidentially that there was reason to believe the leak had occurred in London. The Canadian Minister Counselor also volunteered the deduction that since Parrish had recently returned from London and had not been in touch with any Canadian officials who had access to the draft Canadian convention, it was clear to the Canadian Government that Parrish had obtained these texts in London. He seems to have had possession of the Canadian convention before it was delivered to the Department. Our hat is off to his enterprise, but the repercussions are inconvenient.

HULL

800.796/672

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

[WASHINGTON,] March 17, 1944.

The Soviet Ambassador called to see me at my request. I said I wished to bring him up to date in connection with the forthcoming air conversations, and proceeded to give him the substance of the Department's cablegram of today to Moscow.⁶⁵ I told him that so far as I could see the only change proposed was a shift from joint conversations to bilateral conversations, and that we were doing this merely as a matter of convenience. By doing so, we avoided hurting the feelings of a number of countries who would like to be present at the first conference.

I told him that, by a note dated March 11, Molotov had raised some question on this point with Ambassador Harriman, and that we were cabling the full situation to Harriman along with a statement of the facts which had led up to the change from the joint conversations to bilateral. I told the Ambassador that I hoped to inform the Chinese Government of the situation shortly.

I said that if the Soviet Government wished to discuss matters here, Mr. Grew would be available, and he would no doubt wish to associate with him the Chairman of the Civil Aeronautics Board.

⁶⁴ See *Aviation Daily*, March 13, 1944.

⁶⁵ Telegram 607, March 17, 2 p. m., not printed.

I likewise told him that the Canadian Government had handed us last Saturday ⁸⁶ a tentative draft of a convention establishing an international air authority. This had not received any consideration here; but owing to the fact that an enterprising newspaper man had obtained it, the Canadian Government was making it public in Parliament this afternoon.

I further told him that at present tentative arrangements called for my going to London via Canada, though a date had not been set. It could not be earlier than the end of next week and might be somewhat later.

The Ambassador thanked me for the information, which he said would be useful to him.

The Soviet Ambassador seems to think the outline of arrangements here quite all right since they involve a departure in form but not in principle from the one in which Moscow had said they were interested. He observed that there would be no necessary reason why the bilateral conversations, if held simultaneously, might not eventuate in a joint meeting at some time. I told him I saw no objection, though that would depend on whether there was a common point developed in the course of exploration. We could settle that when the time came.

A. A. B[ERLE], JR.

800.796/659

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

[WASHINGTON,] March 20, 1944.

Lord Halifax came in to see me at my request. Speaking on behalf of Michael Wright, Lord Halifax said that they had received a cable from the Foreign Office. The Foreign Office hoped:

(1) That my stop in Canada en route to London would not be highly publicized. I told him I cordially agreed.

(2) That the Foreign Office shared our hope that the visit might be kept very quiet, but that if our Government thought it necessary to say something, a statement might go out to the effect that the American representative was in London merely to exchange ideas looking forward to preliminary international negotiations later on, probably this summer.

Lord Halifax added that it was his personal feeling that a brief announcement of this kind ought to be made, since there was no such thing as a secret trip to London. I told him I wanted to consult the Secretary about that, but this was my view also.

⁸⁶ March 11.

Lord Halifax added that he thought it would be well to work this out apart from Stettinius' mission,⁸⁷ which, of course, dealt with other matters.

I said that this was our feeling likewise, and I wanted to inquire about dates. Stettinius was leaving in a few days; he would be spending perhaps three weeks in London. There had been some discussion here of postponing my visit until he got through and came home. Lord Halifax said he thought that would be unfortunate; we have got the thing just up to a point where something could be done, and there was always danger of its bogging down either here or in London. Also, he hoped we could get going fairly soon. I told him that I had no views on that until I had talked further with Secretary Hull. We shared his desire to get on with the business.

A. A. B[ERLE], JR.

800.796/672

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

[WASHINGTON,] March 21, 1944.

The Soviet Ambassador came in to see me at his request. He said that he had word from Moscow that the Soviet Government would be glad to have conversations with the United States in respect of post-war civil aviation. They have named their delegation. He left with me the attached list.

I said I was gratified to see that he would be on the delegation and asked whether the others were already here. He said all were here except General Petrov and Colonel Berezin. These two would be coming along soon. They could not arrive earlier than ten days; he understood, however, that they were leaving Moscow shortly.

I said that I was not wholly clear whether I myself would be here or in London at that time; but that Ambassador Grew and Mr. Pogue of the Civil Aeronautics Board would of course be glad to talk to them whenever they wished. In other words, we would be ready whenever they were.

A. A. B[ERLE], JR.

⁸⁷ Mission of Under Secretary of State Stettinius to London, April 7-29, 1944; see vol. III, pp. 1 ff.

[Annex]

MEMBERS OF THE SOVIET DELEGATION FOR NEGOTIATION WITH THE
UNITED STATES GOVERNMENT ON POST-WAR CIVIL AVIATION

Ambassador Gromyko	Head of the Delegation
Lt. General L. G. Rudenko . . .	Member of the Delegation
(Aviation Engineering Service)	
Maj. General A. A. Avseevich . .	" " " "
(Engineering Corps)	
Maj. General N. I. Petrov	" " " "
(Aviation Engineering Service)	
Colonel P. F. Berezin	" " " "

800.796/665

*The Delegation of the French Committee of National Liberation to
the Department of State*

[Translation]

No. 2134

[WASHINGTON,] March 21, 1944.

The Delegation from the French Committee of National Liberation presents its compliments to the Department of State and, referring to conversations which took place during recent months between itself and the Honorable Adolf A. Berle, Jr., has the honor to call attention again to the paramount importance which the Committee of Algiers attaches to being included in the work of any International Conference which might be held for the purpose of discussing post-war civil aviation matters.

Without wishing to revert to the leading role played by France in connection with questions of air transportation ever since the beginning of aviation, this Delegation deems it advisable to support this request with the following considerations:

1. After the first world war, France had organized an extended aerial network connecting the Metropolis with continental Africa, with Asia (Indo-China), with Madagascar and with South America. In that manner, it made a very important contribution to the world system of air transports.

2. During the present war, the French Authorities placed at the complete disposal of the Allied Authorities such parts of the French aerial networks as were located in free territories. The Allied countries made great use of this network, and particularly of the facilities existing in equatorial Africa, at a time when this route had very great strategic importance with reference to operations in Libya.

At the present time French military aviation, with what means are at its disposal, still operates services on the following routes: Algiers-Beirut, Cairo-Beirut, Beirut-Madagascar, Beirut-Fort-Lamy, Brazzaville-Pointe-Noire, Accra-Dakar, Accra-Fort-Lamy, Brazzaville, Algiers-Casablanca-Dakar, Dakar-Gao-Fort-Lamy, Beirut-Khartoum-Madagascar.

3. Once peace is restored, France will continue to offer, in matters of air transportation, the important contribution of its territories and of its technical resources in the same spirit of collaboration which it has consistently shown before and during the war.

The Delegation from the French Committee of National Liberation takes this occasion to confirm to the Department of State that Air Brigadier General Charles Luguët, Air Attaché, has been appointed to represent it in any Franco-American or inter-Allied conversations which might be held in the United States on the subject of civil aviation.⁶⁸

800.796/656a

*The Assistant Secretary of State (Berle) to the Canadian Minister
Counselor (Pearson)*

WASHINGTON, March 24, 1944.

DEAR MIKE: Enclosed herewith is a summary of the views of the technical group of this Government regarding post-war civil air transport.

Sincerely yours,

A. A. BERLE, JR.

[Enclosure]

SUMMARY OF OBJECTIVES FAVORED BY THE UNITED STATES OF AMERICA
WITH RESPECT TO POST-WAR CIVIL AIR TRANSPORT

I. AIR NAVIGATION AND AIR TRANSPORT

1. *Right of Transit and Non-Traffic Stop*

Civil aircraft of one nation should be free to fly in transit across the territory of another nation, and to land for non-traffic reasons. Freedom of air transit should include the right of non-stop passage for scheduled airline services. Such rights would be subject to reasonable regulations, including those essential to national security, and would not affect the sovereignty of any nation.

⁶⁸ In replying on March 28, the Secretary of State informed the Delegation that no plans had as yet been made for an aviation conference but that when such a conference should be convened the interest of the French Committee would be given sympathetic consideration.

2. *Right of Commercial Air Entry*

The establishment and operation of air carrier services including the right of commercial entry for transportation of passengers and property between points in two or more nations should be arranged by inter-governmental agreement, except where a government may permit its carriers to negotiate directly with a foreign government.

Each nation obtaining rights of commercial air entry from another nation should be free to assign them to its air carriers without obtaining prior approval of the other nation. However, one nation obtaining rights of commercial air entry in another nation should assign them only to a company or companies which are and continue to be substantially owned and fully controlled by nationals of either or both of the two countries.

Specific points of entry and routes to be operated in connection with the rights of commercial air entry should be established by arrangements between the civil aeronautical authorities of the countries concerned.

3. *Non-exclusivity of International Operating Rights*

Each nation should agree not to grant exclusive commercial operating rights to air carriers of any single nation, or to seek such rights.

4. *Application of Cabotage to Air Traffic*

Each country reserves the right to limit the carriage of commercial air traffic between two points both of which are under its jurisdiction to aircraft of its own nationality.

5. *Control of Rates and Competitive Practices*

There should be an international arrangement under which aeronautical authorities of the countries concerned should consult with each other for the purpose of reaching mutual understandings with respect to problems or controversies arising in connection with rates and other competitive practices. For the time being, however, each country should preserve freedom of action.

Under the above procedure the countries concerned would also consult with each other regarding the frequency of operation over particular routes, with a view to avoiding wasteful competition. However, in principle every carrier authorized to serve a particular route should be permitted to operate as many schedules as may be justified to take care of existing traffic at economically sound tariff charges. If it is deemed necessary to limit frequencies, due consideration should also be given to the proportionate share of traffic originated by nationals of each country.

6. *Curtailment of Subsidies and Exchange of Subsidy Data*

For the purpose of making international aviation as self-supporting as possible, there should be a frank exchange of information be-

tween nations, on the basis of uniform reporting, as to the amounts of subsidies and other assistance extended by the respective governments to their air carriers. The exchange of this information should be followed, wherever possible, by adjustment or regulation of rates, services, and competitive practices in an effort to develop efficient and non-subsidized operations. At the same time, it should be recognized that there will be certain routes where, for reasons of national policy, nations might be justified in subsidizing limited services.

7. Uniform Operating and Safety Standards

Steps should be taken by all nations to establish minimum and adequate standards for aircraft airworthiness, operation, and safety equipment. Air traffic rules, air traffic control procedures, and similar operating and safety regulations should be as uniform as possible, but each nation should be permitted to reserve the privilege of prescribing, on a non-discriminatory basis, special operating rules and procedures of local effect to be observed in the interest of safety by aircraft engaged in air transport operations in its territory.

8. Standardization or Coordination of Air Navigation Aids and Communications Facilities

Air navigation and communications procedures (applicable to both air and ground) should be standardized or coordinated as much as possible; this would not necessarily require complete standardization of the equipment used. This whole subject would be suitable for study and recommendation by any appropriate international body, but in the meantime the various international technical groups which have been discussing these matters should continue with their work in this field.

II. AIRPORTS AND FACILITIES

1. Designation of Commercial Airports of Entry

Each country should designate such commercial airports of entry as may be necessary for the effective and efficient operation of international air services by such other countries as may have been granted rights of commercial entry or transit.

2. Use of Airports and Facilities on a Non-discriminatory Basis

Each country should agree that the use of public airports, accessory facilities and technical assistance such as navigational aids, weather reporting and telecommunications are to be made available to civil aircraft of another country on the basis of national and most-favored-nation treatment.

Commercial aircraft of another country which have been granted rights of commercial air entry or transit should have equality of

opportunity to obtain or provide necessary facilities for fueling, repair and maintenance.

3. *Airports and Facilities in Isolated Areas*

The interested countries should endeavor to conclude arrangements for the development and maintenance of necessary landing areas and facilities in areas whose governments are unwilling or unable to perform these functions.

III. INTERNATIONAL COLLABORATION

1. *Establishment of an International Civil Aviation Commission and Definition of Its Functions*

There should be established an International Aviation Commission. The composition of this body, and the manner in which the various countries should be represented thereon, could be determined by an international conference or by an interim study committee. At the beginning, at least, the powers of this commission might be limited to the following:

(a) The study of procedures, and practices relating to safety regulations, operating methods, airline accounting, dissemination of meteorological information, customs procedure, standardization of communications equipment and facilities and air navigation aids, use and availability of airports, etc.

(b) To collect complete information and make studies with respect to the operating statistics of all international air carriers, subsidies paid directly or indirectly by governments to air carriers, rates charged by carriers, competitive practices, contracts and agreements entered into between carriers and between carriers and governments, international regulations with respect to licensing of aircraft and aircraft operators, and in general all information of value or of interest to the various governments concerned.

The results of the above-mentioned studies and information collected should be made freely and completely available to the governments of all countries which are members of the International body. The following additional powers might be delegated to this Commission if the consensus of opinion among the interested nations is in favor thereof:

(a) To recommend uniform simplified regulations where uniformity is practicable and unilateral action in other cases to correct abuses or unsatisfactory conditions which have been disclosed to the Commission in the exercise of its functions as proposed above.

(b) To consider and decide questions affecting two or more nations when certified to the Commission by the parties concerned.

It is suggested that no further major powers be delegated to the Commission until after study and agreement by the nations primarily concerned.

800.796/677

The Department of State to the Chinese Embassy

AIDE-MÉMOIRE

The Chinese Embassy is informed that the United States Government has been approached by the British and Canadian Governments with the suggestion that exploratory conversations be held in order to exchange views on the subject of post-war aviation, with particular reference to the development of international air transportation. This Government has agreed to participate in such preliminary discussions, which are expected to take place shortly.

It is thought that the Chinese Government might also be interested in entering into such discussions with the United States Government, and there is enclosed a proposed agenda ⁶⁹ covering basic points which this Government feels would offer a suitable basis for these conversations. The Government of the Union of Soviet Socialist Republics has also been invited to enter into such discussions and has indicated its desire to do so. It is possible that invitations will likewise be extended to a few other governments shortly after the exploratory discussions have been completed or are under way, and that a United Nations civil aviation conference might be held later in the year as the result of basic understandings arrived at between the countries participating in the preliminary talks.

The United States Government contemplates that the first talks will be in the nature of bilateral exchanges of views between this Government and the other participating governments, respectively, with a summary of the results of these talks furnished to each of the other governments participating in such bilateral conversations.

The United States Government will be pleased to learn whether or not the Chinese Government would be interested in joining in such discussions in Washington, and the approximate date which it would find convenient to begin the talks.

WASHINGTON, March 25, 1944.

800.796/656a : Telegram

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

WASHINGTON, March 25, 1944—3 p. m.

2286. From Berle. Present plans are to leave for England for exploratory aviation conferences on March 31, arriving England April 1. Edward Warner, Vice Chairman, Civil Aeronautics Board,

⁶⁹ See agenda transmitted to the British Embassy on February 14, p. 378.

will come along as technical adviser. We hope Satterthwaite may be attached to us on arrival.

The Department, and we gather also the British Government, prefers that this trip shall not overlap with Stettinius' visit, and we therefore hope to be able to take a plane home on April 7. This should give ample time to take the subject as far as it can be taken now. The Soviet Government has indicated that it wishes to hold conversations here and has named a group headed by Ambassador Gromyko. They will probably not be ready to begin much before April 10, but Ambassador Grew and Mr. Welch Pogue will be available should they desire to start earlier. We understand the British Government has indicated its willingness likewise to talk to the Soviet representatives.

For your confidential information, we expect to spend two days in Canada getting the Canadian viewpoint.

The Department contemplates a brief statement to appear April 1 that Mr. Berle and Mr. Warner have gone to London for the purpose of exchanging views on civil aviation with the British Government looking towards international negotiations later in the summer. No announcement of Canadian talks is contemplated, except that the Canadians will, if questioned, state that the two men named paused in Canada en route to London to exchange ideas. [Berle.]

HULL

800.796/649 : Telegram

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

LONDON, March 26, 1944—3 p. m.

[Received 4 p. m.]

2459. For Assistant Secretary Berle. Department's 2286, March 25. Thank you for forwarding me your schedule. I believe it is well thought out and the time allotted ample to carry out your program.

I think your stopover in Canada was a wise and constructive method of handling a difficult situation.

I have already explained to Satterthwaite that he is to be attached to you on your arrival.

WINANT

800.796/741

*Memorandum of Conversation, by Mr. Joseph C. Grew, Special
Assistant to the Secretary of State*

[WASHINGTON,] March 29, 1944.

The Soviet Ambassador, Mr. Gromyko, called at my request this morning and I said that I was very glad that we were going to be associated in the proposed exploratory conversations relating to post-war civil air transport. I asked him whether he yet knew on what date the members of his group, who are coming from Moscow, would arrive in Washington. The Ambassador said that these two members, Major General N. I. Petrov and Colonel P. F. Berezin, are coming by way of Siberia and Alaska and that owing to bad weather at this time of year the flight would probably take about eight days. He therefore, did not expect them much before the middle of April although they might arrive at any time after April 10. I said that I would like to arrange a little gathering after their arrival and before the conversations so that our two groups might get to know each other. He said that they would be very glad to come to such a party and he would let me know when the officers arrived in Fairbanks.

I then gave the Ambassador a copy of our proposed agenda and also a copy of our summary of objectives,^{69a} making it clear that this summary had been prepared by our technical group and should be regarded as on a technical level and merely as a basis for discussion. I asked that the summary be regarded as confidential but said that it was being given also to the British and the Canadians.

The Ambassador inquired whether the British and Canadians had also drawn up agenda. I said that they had done so and that we had seen them and they also had our agenda; as yet, however, there had been no definite discussions concerning our respective agenda and I thought that all this would have to be ironed out in the conversations themselves. Mr. Gromyko read our agenda and I asked him if he found it satisfactory. He replied in the affirmative and indicated that the Russian group would not submit an agenda of their own.

The Ambassador asked me what we thought of the Canadian proposals with regard to an international convention. I replied that we hoped that these exploratory conversations would create a bridge by which we could eventually move to an international conference, but that it seemed to us premature at this stage to consider the drawing up of a convention. First of all, we must explore each others' views and see if we can find a common ground which would justify the eventual formulation of a multilateral agreement. The Ambassador indicated that he agreed with this attitude.

^{69a} *Ante*, pp. 378 and 422, respectively.

Mr. Gromyko asked me to explain the item on our agenda II. 3. on airports and facilities in isolated areas. I explained this point to him along the lines of the paragraph under this heading in our summary of objectives.

With regard to the question of interpreters at the conversations, I said that Mr. Bohlen⁷⁰ would probably sit in with us and I asked the Ambassador whether they would bring an interpreter with them. He replied that he thought that he and Colonel Berezin, who speaks English, would be able to carry on the interpretation except possibly in technical matters but he would consider the question of an interpreter later. He asked me who would constitute our delegation. I replied that we had not yet determined the members but that in all probability our group, besides Mr. Berle who would then have returned from London and myself, would be composed of Mr. Pogue, Chairman of the Civil Aeronautics Board, and Mr. Burden, Assistant Secretary of Commerce for Air. Mr. Stokeley Morgan, Chief of our Aviation Division, and Mr. Bohlen would also probably take part. I said that I would later let the Ambassador know the definite membership of our group.

JOSEPH C. GREW

800.796/612 : Telegram

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

WASHINGTON, March 30, 1944—midnight.

2482. Department of Commerce has been consulted in connection with your telegram 2025 of March 13, 1944, 7 p. m., and indicates that it agrees such a meeting would be desirable. It has no suggestions to make regarding agenda. Suggests week of May 15 as tentative date of meeting. You are requested to inform appropriate persons of the above.

HULL

800.796/640 : Telegram

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

WASHINGTON, March 31, 1944—1 p. m.

754. 1. The news of our forthcoming exploratory talks with the British concerning postwar civil aviation has leaked to the press and is published in today's issue of the *New York Times* whose article

⁷⁰ Charles E. Bohlen, Chief, Division of Eastern European Affairs.

contains the following paragraph: "It is understood that the conversations do not include Russia but the hope is voiced that others with Russia will follow. So far the U.S.S.R. has given no hint of her attitude toward participation in a reciprocal world air agreement."

2. In view of this publicity and in order to avoid speculation the Department is issuing the following statement for release morning papers April 1.

"Mr. Adolf A. Berle, Jr., Assistant Secretary of State, and Mr. Edward Warner, Civil Aeronautics Board, are going to London for an exploratory exchange of views with His Majesty's Government in the United Kingdom on civil aviation as a first step towards preliminary international discussion this summer.

It is expected that a group composed of Mr. Joseph C. Grew, Special Assistant to the Secretary of State, Mr. L. Welch Pogue, Chairman of the Civil Aeronautics Board, Mr. W. A. M. Burden, Assistant Secretary of Commerce for Air, and others will conduct similar exploratory conversations with representatives of the U.S.S.R. in Washington within the next fortnight."

3. The Soviet Ambassador informs us that Major General Petrov and Colonel Berezin expect to arrive in Washington about the middle of April and we expect to hold the exploratory conversations shortly thereafter.

HULL

800.796/684

*Memorandum of Telephone Conversation, by the Chief of the
Division of British Commonwealth Affairs (Hickerson)*

[WASHINGTON,] April 1, 1944.

I talked to Mr. Atherton ^{70a} at 5:30 last night on the telephone. He and Mr. Clark ⁷¹ had just come from a conversation with Norman Robertson.⁷² Mr. Robertson had talked at some length about the civil aviation conversations Wednesday and Thursday ⁷³ in Montreal.

Robertson said that C. D. Howe, the Canadian Minister of Transport, had remarked that this was the first time that he had ever participated in such conversations where they "got anywhere". It had been agreed that there would be no agreements and that nothing would be reduced to writing. The Canadians did not even desire to have agreed minutes which might be taken to London by Messrs. Berle and Warner. Mr. Robertson said that he was confident that progress had been made in the conversations in Montreal and that he was hopeful

^{70a} Ray Atherton, Ambassador in Canada.

⁷¹ Lewis Clark, First Secretary of Embassy in Canada.

⁷² Canadian Under Secretary of State for External Affairs.

⁷³ March 29 and 30.

that an agreement might be reached. He said that he was hopeful despite the fact that Canada wants the maximum regulation of international aviation and the United States the minimum.

Mr. Robertson referred to the possibility of an arrangement on civil aviation to be agreed to in principle by a number of important countries and to be placed into *de facto* effect before the signature of an agreement. This would enable a number of countries to avoid to some extent domestic political difficulties.

Mr. Robertson was fulsome in his praise of Ed Warner and stated that in his opinion Mr. Warner would be an ideal head of an international organization to deal with civil aviation.

JOHN HICKERSON

800.796/4-144

*Memorandum by the Assistant Chief of the Aviation Division
(Walstrom)*^{73a}

[WASHINGTON,] April 1, 1944.

Subject: U.S.-Canadian exploratory discussions on post-war air transport.

Mr. A. A. Berle, Jr., Assistant Secretary of State, and Mr. Edward P. Warner, Vice Chairman of the Civil Aeronautics Board, accompanied by the undersigned, conferred in Montreal on March 29 and 30 with the following Canadian representatives: Mr. C. D. Howe, Minister of Munitions and Supply; Mr. Norman Robertson, Under Secretary of State for External Affairs; Mr. H. J. Symington, President of Trans-Canada Airways; and Mr. John Baldwin, Secretary in the Privy Council's Office. The discussions were exploratory in character, and centered around the Canadian draft proposal for an international air transport convention^{73b} and the United States summary of objectives^{73c} desired with respect to post-war commercial aviation.

The American representatives pointed out that while the Canadian draft proposal was an excellent model for an international convention, it was doubtful whether this could be adopted in full measure within the immediate future, and that it would probably be more desirable to have a transition period during which time experience would be gained which would be of great benefit to the eventual international body. The Canadians appeared to recognize the validity of

^{73a} Addressed to Mr. Stokeley W. Morgan, Chief of the Aviation Division, and Mr. Joseph C. Grew, Special Assistant to the Secretary of State.

^{73b} For text of the draft convention, see Canada, *House of Commons Debates*, vol. 82, No. 33, pp. 1626-1633.

^{73c} *Ante*, p. 422.

this point, and after a day and a half's discussion on various points of common interest, the attached statement was drafted by the American representatives (with the main wording of the first paragraph suggested by Mr. Baldwin).

The statement is meant to be a summary of the U.S. general suggestions for setting up the transitional procedure, but it was not intended to be a formal joint statement of conclusions reached. In other words, while the Canadians were given a rough draft copy on an unofficial basis, and they expressed no disapproval thereof, the statement would not be suitable for transmittal to other governments as a formal statement of U.S.-Canadian views. It was agreed that further discussions between our two countries might be in order after Messrs. Berle and Warner had returned from London.

The following is a more detailed chronological account of some of the points covered in the discussions, leading up to the drafting of the statement referred to above.

In reference to the difference of opinion in each of several countries as to whether or not there should be a "chosen instrument", Mr. Howe said the Canadian position was a little simpler in that their views were "spread on the record." He added parenthetically that C.P.R.⁷³⁴ had worked themselves into an impossible position, but no great difficulty was anticipated in correcting it.

Mr. Howe said that as a beginning they had very little to add to the document they had already submitted. Since our own document was "rather sketchy", he suggested we proceed by discussing it further.

Mr. Berle said we agreed there would have to be a world aviation organization, which would have to be geared to whatever world organization was evolved. However, it may take some time to work out the world organization, and in the meantime there will be other subjects which cannot wait. One difficulty with the Canadian proposal is that it ties in more with the world organization; also, its "double-layer" mechanism setting up an international mechanism in each area. We had felt it premature to commit on a definite form of organization until the other world organization is worked out. In the meantime the aviation set-up should stand on its own feet.

Mr. Robertson admitted that the Canadian scheme was long-range, and was meant to be self-contained. Mr. Howe thought some central organization would be needed to apply sanctions on the "freedoms."

Mr. Symington asked if the ultimate world authority should set up the air authority. Mr. Berle said the procedure we had contemplated was a United Nations convention, to be presented generally. Mr. Symington said it might be putting the cart before the horse, but thought that if we could offer something (we might call it a trial bal-

⁷³⁴ Presumably the Canadian Pacific Railway Company.

loon) beforehand it would remove the danger of difference of opinion at a United Nations conference. If the leading nations were satisfied with this (Canadian) convention, which is only for five years, it would be a big step forward.

Mr. Berle said we had already had a protest from the Australians, who felt they were being left out of things, and other countries might also protest if they did not have a chance to express their views.

Mr. Symington said he didn't mean that we should actually sign the convention at this time, but our general adherence would be an indication to other countries that a forward step had been taken. He naturally assumed that any arrangement offered would be acceptable and fair to the other countries. For instance, there would be no thought of shutting out the smaller nations from the North Atlantic operation.

Mr. Robertson suggested the UNRRA procedure might serve as a precedent, up to a point. However, whereas the UNRRA ratification meeting was held first and the details worked out later, this procedure probably should be reversed, with each country feeling it had had a fair opportunity.

In discussing item 2 (right of commercial entry) of the U.S. summary, Mr. Berle said there were a number of economic aspects involved. Some people have argued that 80% of the pre-war trans-Atlantic traffic was originated by the U.S. On the other hand, some countries are looking forward to "internationalization" to help them get a part of this business. We feel that all sides to this problem are not yet apparent. Any economic arrangements would have to be temporary, and would need consistent re-examination. Any international body should begin by collecting traffic facts, and determining how much this traffic stands on its own feet. These should be continuous exchange of data relating to this subject.

Mr. Symington thought that unless some formula were adopted, and if free competition lacked some sort of control, the result might be too many frequencies which in turn would mean empty seats. Under the Canadian plan, and in such a situation, the body would tell Canada, for instance, to reduce one frequency and would give another one to the U. S. provided traffic originating in the U. S. justified it.

Mr. Berle observed that the Canadian proposal perhaps was at fault in not spelling out that origin of traffic would be a criterion in assigning frequencies.

Mr. Robertson observed that placing it on the basis of "traffic origin" would remove one means of balancing international payments, but Mr. Berle thought it would be difficult to sell this thought to the American people.

Mr. Symington said the problem was whether each country was to say how many frequencies it would run, or whether this would be determined by an international body. "If you leave it to each nation you are in for a very difficult time." Mr. Berle said the heart of the problem is what principles will determine the assignment of frequencies.

Mr. Warner said our thought was not to restrict frequencies, but to establish them under certain broad principles. He questioned whether there would actually be "chaotic consequences" under such an arrangement. He also raised the question whether Canadian "freedoms" 1 and 2 (innocent passage and non-traffic landings—Article II, 2) should be "licensed" by the international body or whether they should not be provided for multilaterally. Freedoms 3 and 4 (right to carry traffic from the home state to any other member state, and the right to bring back traffic to the home state from any other member state) might also be made a general right if it proves possible to define the origin of traffic, together with provision for traffic "originating" in smaller countries.

Hr. Howe said that freedoms 1 and 2 were basic rights which would be automatic and not contingent on licensing by the international body. Mr. Symington said that everyone would have freedoms 3 and 4 as minimum rights, and any amplification of these could be done bilaterally. [Discussions revealed that the Canadian proposal made inadequate provision for intermediate traffic; their freedoms 3 and 4 refer to traffic only when it originates or terminates in the home country.]⁷⁴

Again referring to Canadian freedoms 3 and 4, Mr. Warner said we did not necessarily hold that every nation had the inherent right to fly into the U. S.

The Canadians said the idea of "weighting" the board of directors was to prevent each and every nation from endeavoring to divide things up on an equal basis, to the detriment of those primarily interested.

It was generally agreed that each country should have the right to designate its own international airports, subject to reasonable conditions. The Canada-U.S. situation, however, would indicate that such designation should not be on a most-favored-nation basis. That was one reason the Canadian draft provided for special arrangements for contiguous countries.

Mr. Robertson said the origin of traffic idea might be carried so far as to become quite restrictive. Mr. Symington said, assuming there was a Canadian line to Latin America, it would be difficult for them to try to prevent a Canadian national from buying a ticket

⁷⁴ Brackets appear in the original.

from Montreal to New York, and then buying a ticket on an American line for the rest of the way.

It was agreed that the problem of a Canadian airline picking up an American passenger in the U.S. for South America would be a matter for bilateral arrangement, and could not be covered in a convention.

Mr. Howe asked if there would have to be rate differentials depending on types of services. Mr. Warner said we had not solved this problem in the U.S., where the tradition favored uniformity. The tendency will be to compete on the basis of speed, and this will raise the question as to whether rates on a slower service should be reduced. Rate reductions should be particularly justified if there is an accompanying economy in operation.

The Canadians expressed agreement with item 3 (non-exclusivity) of our summary.

As to our point 4 (cabotage), the Canadians said they would like to see this restricted as much as possible. Mr. Howe said that at the Dominion Air Conference in London no claim had been set up for cabotage between members of the Commonwealth. He added parenthetically that the Indian delegates demonstrated a very nationalistic attitude with respect to international airlines transiting their country.

Our point 5 (control of rates and competitive practices) was covered in the earlier part of the discussion.

Regarding subsidies, our point 6, Mr. Berle said there would probably be routes which we might have to subsidize, e.g., in the Pacific. Mr. Howe ventured the suggestion that a subsidized service should be a continuous service from the home country. In a discussion proceeding from this point, Mr. Warner suggested some device be set up to protect against sale of end-to-end tickets. (Example: Ostensible sale of two tickets, one for a route sector which was an extension of the other route sector, but actually amounting to one through ticket.)

With regard to our point 7, uniform operating and safety standards, it was agreed that the need for uniformity was generally recognized.

It was decided that the question of surplus aircraft would merit further investigation, looking to a possible understanding between the U.S., Britain and Canada on this subject.

In a discussion on isolated airports, it was agreed that there would not be much interest in Greenland, although we might want one or two fields there for standby use. Iceland, however, will be important, particularly from a communications standpoint. It is likely that some isolated bases may have great military importance, and may be kept up primarily on that basis, but available for commercial use.

On the second day's discussion with the Canadians, Mr. Berle reiterated that we would come a cropper if we endeavored to adopt the Canadian proposal in full measure. There would have to be something worked out as to frequencies, etc., to fill in until something more definite could be arranged. To this end an informal committee could be constituted (perhaps in Washington) for the purpose of establishing the preliminary set-up.

Mr. Howe said a possible danger to this plan was that there might be "deals outside the orbit." Mr. Berle thought that anyone who challenged the recommendations of the preliminary or transitional body would thereby probably prejudice themselves when the formal body was set up.

Mr. Robertson asked if the U.S. would not have control of most of the available aircraft during the first eighteen months. Mr. Warner said that everyone would have difficulty obtaining commercial planes during a period of, say, six months required for conversion, but thereafter planes should be quite plentiful. Mr. Warner also suggested that for an initial six-months period it might be provided that carriers should not be allowed to increase their frequencies.

In a discussion of possible international services, Mr. Howe said they planned a route to England, which they did not plan at present to extend to the Continent; also a Pacific route via the north, down the China coast, and to Australia, an operation in which they might ask Australia to participate [Hawaii as a staging point was not mentioned],⁷⁸ and a third route to the West Indies, probably via Bermuda, and possibly extending to South America as far as Rio.

In connection with the conversation on routes, Mr. Symington admitted that Canada's importance from a strategic geographic standpoint had been exaggerated.

In summing up the conversations, Mr. Howe said: "What you have in mind is to let the international authority develop gradually, and I see nothing wrong with that." Mr. Symington again remarked that the basic difficulty was whether assignment of routes and frequencies was to be done by an impartial body or by the several interested countries.

Mr. Robertson thought they should recognize the advantage of a transitional period. He raised the question, however, as to whether blocs would not develop during the 18-month interim period. An empire bloc would be a definite possibility, even though Canada would not welcome it.

Mr. Berle asked if this danger could not be minimized by agreeing not to enter into discriminatory arrangements.

The problem of differentiating between military and commercial services (particularly as refers to BOAC) was also discussed. In de-

⁷⁸ Brackets appear in the original.

ciding the number of frequencies over the North Atlantic, for instance, it was assumed that air transport command services would not necessarily close down immediately at termination of hostilities; that such services would probably continue to carry traffic for military and relief purposes; and that allocation of frequencies mentioned above would apply solely to commercial traffic.

Mr. Symington finally suggested an informal statement of principles (which is attached) to cover the transitional period.

J. D. WALSTROM

[Annex]

*American Statement of Principles, Montreal, Canada,
March 30, 1944*

After discussion between the United States and Canadian representatives of the proposals contained in the Canadian draft convention, the United States representatives put forward the following suggestions for arriving at the general objectives of the Canadian convention. The Canadian representatives recognized that these proposals represented a possible method of attempting to achieve the objectives in question and as such should be the object of further study.

1. The United States point No. 1 is virtually equivalent to Canadian "freedoms" 1 and 2, and there would appear to be agreement in principle on the desirability of establishing these freedoms.

2. There should be established a preliminary committee which will endeavor to arrange for provisional routes, frequencies and commercial outlets, to take effect when the military situation permits. There will be an endeavor to obtain general agreement on this as a starting point within the next few months.

3. There shall be proposed to an air conference the plan for provisional commercial services to remain in effect for a transitional period to be agreed upon, but presently conceived to be eighteen months or possibly two years.

4. There shall be proposed to the air conference the establishment of a commission, which, during the transitional period, shall have the following duties:

- (a) to receive and collect reports, data, et cetera;
- (b) to observe the operation of the provisional plan for commercial services and to report thereon at frequent intervals;
- (c) to stimulate remedial action by the governments concerned when friction or controversy or failure of service may appear or may be threatened.

5. The following general principles shall be proposed to the air conference, for adoption and inclusion in a draft convention:

- (a) non-exclusivity;
- (b) reservation of cabotage;
- (c) curtailment of subsidies;
- (d) right of countries to pool operations;

- (e) use of airports and facilities on a non-discriminatory basis;
- (f) cooperative handling of isolated airports;
- (g) non-discriminatory handling of prohibited areas, customs regulations, et cetera.

6. The conference would assign to the commission duties in respect to navigational aids, safety regulations and other technical matters which at present appear to be of common interest.

7. There will be a review of the entire situation by a further air conference at the close of the transitional period contemplated. On the basis of experience and data then at hand, the problem of increasing the functions allocated to the commission can be considered in the light of the circumstances and experience then prevailing.

8. The foregoing is to be embodied in a suitable convention which it is hoped the air conference would accept. The convention should by its terms come up for review, along with the powers and duties of the commission, at the close of the transitional period; perhaps power to withdraw at that time may be given if full agreement is not yet reached.

800.796/673 : Telegram

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

LONDON, April 4, 1944.

[Received April 4—9:45 a. m.]

2717. From Berle. Civil Aviation Conference started yesterday morning under the auspices of Lord Beaverbrook. The following were present from the British Government: Lord Beaverbrook, Captain Harold Balfour, Cribbett, Deputy Director General of Civil Aviation, Richard Law and Le Rougetel of the Foreign Office, Masefield and Baring of Lord Beaverbrook's staff. Dr. Warner and Satterthwaite accompanied me.

Lord Beaverbrook requested I summarize the steps that led up to the present discussions and outline briefly our talks in Montreal with the Canadians. I said that we had discussed future application of the doctrine of sovereignty of the air, the use of American built airplanes, and the bases of airfields built abroad with United States money. We outlined our idea that a transition period was necessary during which data might be collected on which future controls could be predicated if they proved necessary.

After these general remarks we proceeded with the discussion of the first items on the agenda which for working purposes is a synthesis of the two statements exchanged by our two Governments last February.

It was tentatively agreed that the two countries must standardize technical aviation procedures (radio, meteorology, ground services,

air worthiness, licensing of personnel, sanitary regulations, customs treatment and taxes on fuels). It was agreed to recommend that the requisite number of technical discussions be held between the two countries as soon as convenient on these subjects with a view to accomplishing the standardization agreed to be desirable.

Subject of cabotage and its definition was then discussed. I defined the United States position that we considered traffic between the United States, Puerto Rico, Alaska, Hawaii, Canal Zone, and other possessions as reserved to American flag carriers and that we expected that the British would consider as reserved to their flag carriers traffic between Great Britain and all parts of the Empire except the Dominions and India as cabotage. Specifically this would include traffic between Great Britain and Newfoundland. The British said they shared this definition of cabotage.

Discussion on the question of control of uneconomic competition was begun but it was necessary to adjourn the meeting before very much was developed. The British felt that for the time being at least they should be guaranteed 50 percent of traffic on important routes such as the North Atlantic. I indicated that this position would be difficult to maintain.

We resume discussions this morning. [Berle.]

WINANT

800.796/679 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNKING, April 5, 1944—9 a. m.

[Received 10:12 a. m.]

600. Your 380, March 25, 2 p. m.⁷⁶ On subject postwar civil aviation. While I learn that China is indicating interest in discussions at Washington and inquiring as to suitable date, there has been no indication of Chinese views on various aspects of postwar aviation. Minister of Communications, whose Ministry is concerned with aviation, tells me he has not been consulted. From what little I can gather, I am of opinion that Chinese will be inclined to favor an international aviation authority, and being suspicious of both their British and Soviet neighbors will be very cautious in their approach on the general subject.

GAUSS

⁷⁶ Not printed; it informed the Ambassador of the *aide-mémoire* delivered to the Chinese Embassy on March 25 and expressed the Department's belief that any information on the Chinese viewpoint regarding various aspects of postwar aviation would be helpful (800.796/656b).

800.796/705

*Memorandum of Conversation, by Mr. J. Graham Parsons, of the
Division of British Commonwealth Affairs*

[WASHINGTON,] April 6, 1944.

Mr. Reid ^{76a} said that the Embassy had received a very full digest of the recent air talks at Montreal, prepared by John Baldwin. In reply to my query as to how he viewed the results of the talks, he evinced no little discouragement (Mr. Reid is probably the principal author of the Canadian draft convention).

Mr. Reid said that at least the talks had cleared the air and had removed some misconceptions as to the Canadian draft convention. He was disappointed to see so great a gulf between the Canadian and American position however, and characterized the American memorandum of views on civil aviation as "meager". He said that our memorandum virtually went back to the 1929 position.⁷⁷ The US apparently had little more to suggest than the adoption of the principle of freedom of air transit. As it seemed to him, this principle, tied to so little else in the way of an international frame-work, offered nothing to anyone else. He doubted if we would get more support now than the same position obtained in 1929. If for domestic reasons the US had to accept international air organization through evolutionary process, Canada, he felt, would have to throw up its hands and abandon hope. It was now or after the next war; a half-way decision on international air aviation organization would be no good.

Mr. Reid closed by saying that he hoped that the London talks developed something constructive.

800.796/716

*Memorandum of Conversation, by Mr. Joseph C. Grew, Special
Assistant to the Secretary of State*

[WASHINGTON,] April 7, 1944.

Mr. Liu Chieh, the Chinese Chargé d'Affaires, called this morning at his request. He referred to the proposal communicated by Mr. Berle that the Chinese Government participate in bi-lateral exploratory talks with us on the subject of postwar civil aviation and said that his Government was now glad to accept this proposal.

Mr. Chieh asked how soon we felt the meeting should take place. In reply I told him of our talks with the Canadians and the British and the plans for our forthcoming talks with the Soviet Russians

^{76a} Escott Reid, First Secretary of the Canadian Embassy.

⁷⁷ For documentation on American participation in the extraordinary session of the International Commission for Air Navigation at Paris, June 10-15, 1929, to revise the convention of October 13, 1919, see *Foreign Relations*, 1929, vol. I, pp. 489 ff.

which would probably occur within the next ten days. I said that we would be glad to meet the Chinese group at any time they wished, but suggested that a mutually convenient date might be set after the completion of our talks with the Russians. Mr. Chieh indicated that he thought this would be entirely satisfactory to them and that we might perhaps meet sometime in early May. He said that while China had certain aviation experts in Washington, he thought that his Government might wish to send others from Chungking. I told him that our group would be small and probably not composed of more than five persons.

Mr. Chieh said that Mr. Berle had given him a copy of our agenda but that it would be helpful if we could give him some further information with regard to the subjects to be explored so that his Government could be in a better position to prepare for the talks. I replied that we would be glad to do so and I thereupon handed him a copy of our summary of objectives, indicating that this summary should be regarded as strictly confidential and as prepared on a technical level and to be used as a basis for discussion in the coming conversations. I also pointed out that our talks were to be informal and exploratory and merely an exchange of views to see if the various interested nations could find a common basis of agreement which would justify the holding of an eventual multi-lateral conference. I said that in the bi-lateral conversations we wished to include China in the first flight.

Mr. Chieh said that he would let me know as soon as he was in a position to suggest a date for the meeting.

JOSEPH C. GREW

800.796/695 : Telegram

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

LONDON, April 7, 1944—4 p. m.

[Received 8:45 p. m.]

2839. From Berle. A crisis developed in our aviation discussions because of insistence of the British on iron-clad international economic as well as technical control of international aviation. They at first insisted on the Canadian draft (with slight modifications) and after it was clear that from our point of view this granted too wide undefined powers they presented a document which had been drawn up for the Empire Aviation Conference of October 1943.⁷⁸ This document we agreed could form a basis of discussion and have in it sufficient latitude to permit agreement by the British and the Americans at a subsequent civil aviation conference provided the British

⁷⁸ See Annex B, *post*, p. 457.

did not give to it an extreme rigid interpretation. In dealing with the document Beaverbrook first proposed to interpret it rigidly in the sense of their previous contentions.

At this stage in the conversations (noon April 6) Beaverbrook and I went over to lunch with the Prime Minister. Beaverbrook reported on the general situation and our divergence over the British desire for international control. I pointed out our constitutional and political difficulties. The Prime Minister dealt rather lightly with the whole internationalized thesis saying that he considered the heart of any agreement finally reached would have to be understanding between the British and the United States and he then and there instructed Lord Beaverbrook not to press the extreme position and in any event to arrive at an agreement. My private opinion is that the British never really intended to press for complete international control of aviation but made the contention for the benefit of certain members of the British Cabinet who have taken advanced public positions in favor of internationalism not only in aviation but in general. The Prime Minister added that while he hoped we should find our positions in substantial accord prior to any general civil aviation conference he did not feel that it was necessary or desirable to reach or announce a complete agreement until after the Soviet Union and other countries have made their views known. With this I fully agreed. He said that even if there were complete agreement he would wish not to announce it lest other countries become suspicious.

Actually we then finished our conversations without difficulty and discovered as might have been expected that while the British had asked for a good deal in the way of commercial concessions at our expense they did not press for them; and we thereupon issued to the press a brief statement not repeated here since it has presumably appeared in the American press to the effect that we had agreed to discuss technical subjects informally immediately; that we would welcome Russia and other countries joining us in these discussions; and that there was sufficient general agreement between the two countries to justify the expectation that definitive arrangements would be reached at the international aviation conference. We plan to have a joint press conference Saturday.⁷⁹ This is at Beaverbrook's insistence rather than our desire.

I plan to leave England by plane on Sunday, arriving in Washington Monday or Tuesday. [Berle.]

WINANT

⁷⁹ April 8.

800.796/746

*Memorandum of Conversation, by the Assistant Chief of the Aviation Division (Walstrom)*⁸⁰

[WASHINGTON,] April 8, 1944.

Mr. Gore-Booth⁸¹ came in this afternoon and left a copy of a paraphrase of a telegram dated April 6, 1944, from the British Foreign Office to the British Ambassador in Moscow, reading as follows:

"We should welcome an exchange of views with the Soviet Government on Civil Aviation at the earliest possible moment. Please enquire of the Soviet Government if, for this purpose, they would care to arrange for their representatives at United States-Russian talks in Washington to come straight on here after these talks are concluded."

Mr. Gore-Booth said that the substance of the above message had also been conveyed to the Russian Ambassador here.

J. D. WALSTROM

800.796/702 : Telegram

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

LONDON, April 12, 1944—5 p. m.

[Received 6:05 p. m.]

2960. The Soviet Ambassador⁸² asked me about the meetings with the British on civil aviation, and after talking it over with Mr. Berle it was agreed that I should give him this information. In the course of a call which I made on Gousev on Saturday⁸³ I therefore informed him of the background and the results of the preliminary discussions with the British and let him know that Mr. Berle had told me he was going to have similar discussions with the Russian aviation expert in Washington. I stressed the fact that the talks here were an exchange of views only, and that no commitments or agreements would be made until a full international conference. I said that the Canadians, the British and we were in agreement that such a conference would serve a useful purpose, and we hoped that it could be held during this year.

Please telegraph Embassy summary of results of the discussions with Russians in Washington.

WINANT

⁸⁰ Undated marginal notation on this document reads: "I was informed of this in London—and said we of course had no objection but welcomed it. A. A. B[erle]."

⁸¹ Paul H. Gore-Booth, First Secretary of the British Embassy.

⁸² Fedor Tarasovitch Gousev.

⁸³ April 8.

800.796/703 : Telegram

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

LONDON, April 12, 1944—7 p. m.
 [Received April 12—6:57 p. m.]

2963. It is the opinion of many aviation people that Lord Beaverbrook has weakened his position by saying at the press conference on April 8 that the British Government had made many aviation concessions to the United States during the talks.

WINANT

800.796/753

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, April 17, 1944.

DEAR MR. BERLE: We have received a telegram containing the following message for you from Lord Beaverbrook:—

"There has been much material in the newspapers since you left us, practically all in support of International Conference. The only dissenting newspaper was the *Sunday Dispatch*. A most helpful leader appeared in the *Times* of April 10th; I quote from the opening sentence: 'Mr. Berle and Lord Beaverbrook made it clear that their discussions on civil aviation last week were preparatory. The talks are intended to pave the way—or by a more apposite metaphor to clear the air—for an international conference which Mr. Berle hopes to see assembled this year. Last week's talks have greatly improved the prospects of full international agreement.'

I met the Air Correspondents at a private lunch on Wednesday⁸⁴ and without exception they praised the work.

You will always be remembered here and we hope you will not forget us. Come back soon and do still more and bigger work."

If there is anything you wish to say in reply we will be very happy to transmit it.

Yours sincerely,

MICHAEL WRIGHT

800.796/4—1944

Report by the Assistant Secretary of State (Berle) on Air Conversations Held at London

[WASHINGTON,] April 19, 1944.

Pursuant to arrangement with the British Government, Mr. A. A. Berle, Jr., Assistant Secretary of State, and Dr. Edward Warner,

⁸⁴ April 12.

Vice Chairman of the Civil Aeronautics Board, proceeded to London to hold informal discussions with representatives of the British Government on the subject of civil air transport.

Prior to their departure, the Governments of the United States and Great Britain had exchanged ideas as to the scope of matters for discussion.

The British discussion group consisted of The Lord Beaverbrook, Lord Privy Seal; Captain The Right Honorable H. H. Balfour, Air Minister; Mr. W. C. G. Cribbitt of the Air Ministry, and Mr. J. H. Le Rougetel of the Foreign Office. Mr. Richard Law, Minister of State, and Mr. Peter Masefield, Honorary Secretary of the Lamplugh Committee on Civil Aviation, although not formally designated as negotiators, also attended the discussions on the British side. The American group consisted of Mr. A. A. Berle, Jr., Assistant Secretary of State; Dr. Edward Warner, Vice Chairman of the Civil Aeronautics Board; and Mr. Livingston Satterthwaite.

The meetings opened at 11:00 a. m., April 10, 1944, at Gwydyr House, London, and continued until Thursday afternoon, April 13.⁸⁵ Lord Beaverbrook presided.

The British group proposed an informal statement of matters for discussion, attached hereto, marked "Annex A". This was accepted subject to such changes in order as might be found convenient. All discussions were carried on upon the assumption that enemy nations would not, after the war, be allowed to engage in international aviation.

STANDARDS OF TECHNICAL OPERATION

Informal agreement was reached that the first four points and point seven might be discussed together. After full discussion, it was agreed that the greatest possible uniformity of practice on the technical subjects comprehended within these five items should be reached, in any event between the United States and Great Britain, and preferably on a world-wide international basis. The discussions were carried on by Dr. Warner as expert for the American group, and by Mr. Cribbitt and Captain Balfour for the British group. In view of the fact that all of the subjects involved were highly technical in nature, after an understanding in principle had been reached, it was agreed:

That as soon as convenient conversations should be held between the technical representatives of the two countries with a view to agreeing on the uniformity and in respect of:

- (a) Communications systems and air navigation aids.
- (b) A collection of exchange of meteorological information.

⁸⁵ The dates are incorrect. According to the official minutes, which were transmitted to the Department in despatch 15217, April 25, 1944, from London, the discussions opened on Monday, April 3, and closed on Thursday, April 6 (800.796/826).

- (c) Rules of the air and traffic control practices.
- (d) Customs and immigration requirements.
- (e) Rules relating to the exemption from taxation of fuel, oil and other supplies and spare parts intended for use in transport aircraft in international service.
- (f) Regulations relating to the prevention of any transmission of communicable disease by aircraft.
- (g) Standards governing the licensing of operating and mechanical personnel.
- (h) Requirements relative to the certification of aircraft and their equipment as airworthy.

That technicians of other members of the United Nations should meet with the representatives of Great Britain and the United States to exchange views on the subjects mentioned above.

Understanding was accordingly reached that experts in each of these fields attached to the appropriate authorities in Great Britain and in the United States would be put in touch with each other for the purpose of giving detailed application to the principle of standardization and uniformity within these fields of practice.

AIR TRANSIT RIGHTS AND COMMERCIAL USE OF PORTS; CABOTAGE

The groups then proceeded to the discussion of point twelve designed to introduce the subject frequently referred to as "freedom of the air". The American group suggested that this phrase be not used in view of the fact that it had been so loosely used as to have become meaningless; this suggestion was agreed to. The subject accordingly was divided into three sub-heads:

- (a) Sovereignty of the air;
- (b) The right of innocent passage and non-traffic stop;
- (c) The right of commercial outlet.

The American group stated that the United States was unable to qualify the doctrine of sovereignty of the air over its national territories and territorial waters. Maintenance of this sovereignty did not, however, preclude the possibility of agreement on passage through such air, always subject to the sovereignty of the country, to its reasonable laws and regulations, and the need for protecting its security; an analogy being agreements under which merchant vessels of other countries are permitted to enter coastal waters, railway trains and automobiles are permitted to enter tracks and roads in other jurisdictions. Such agreements, the American group believed, were not in derogation of sovereignty if suitably drafted. The British group held substantially the same views; and note was taken of this agreement. The two Governments appeared to hold similar views with respect to the continued maintenance of the doctrine of sovereignty of the air over national territories and coastal waters.

Discussion was then opened on the right of innocent passage and technical stop. The American group took the view that this could not be separated from the right of commercial entry; that is, that the working out of agreements in respect of innocent passage and non-traffic stop must necessarily be dependent on the working out of reasonable arrangements for airport use and commercial outlet. The discussion thereupon turned to arrangements for use of airports and commercial outlet.

It was pointed out that this involved discussion of point eleven, viz: cabotage. The British group inquired the definition of the American group of "cabotage". The reply was made that in the view of the Government of the United States cabotage consisted of traffic between any political entity and its colonies and possessions, but not between a political entity and self-governing nations affiliated with it. In respect of the United States, this would mean that cabotage included traffic between the United States and Puerto Rico and Hawaii, just as, in respect of Great Britain, it would presumably include traffic not only within Great Britain but between Great Britain and its colonies, such as Newfoundland, Jamaica, Malta, et cetera; but not traffic between Great Britain and Canada, Australia, New Zealand, South Africa, and India. The British representatives indicated that their own view corresponded to this.

Lord Beaverbrook, on behalf of the British Government, reaffirmed the position taken by the British Government and stated by him in a speech before the House of Lords on January 19, 1944. The applicable paragraph of this speech is as follows:

"In particular the question of bases has been widely canvassed. We have many bases at our disposal. They are scattered all over the Empire, and in other lands too the needs of war have caused us to construct airfields suitable for peace as well as for war. I do not of course deal today with the bases in the Dominions. These are necessarily separately dealt with, but they must and will be a subject for discussion between Great Britain and the Dominions. But as for the bases under our control, let me say at once that the Government have no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves. Rather do we mean to use them for the purpose of steadily developing civil aviation throughout the world. Here it must be said that the bases are few in number at which any great volume of traffic can be collected. Just the same, it will be necessary to have international agreement on traffic regulations and arrangements. This is an essential condition of future developments. For my part I find myself on this subject in agreement with Mr. William Burden, of the Department of Commerce in Washington. Mr. Burden, speaking in Washington on the 5th January, said:

'Complete freedom of the air in the present state of the world might result in commercial anarchy.'

"I share Mr. Burden's view. For our part we are prepared and ready at any time to enter into negotiations with a view to disposing of all traffic problems and arrangements that will arise."

He indicated that he assumed like consideration would be given to adequate airports available for commercial entry in the United States.

The American group stated that the present view of the Government of the United States was that not only the United States but all other countries should be requested to designate reasonable and adequate ports at which commercial entry—that is, the discharge of passengers, freight, and mail, and the taking on of passengers, freight, and mail—might be carried out. The British Government agreed to this view.

Both groups recognized that further discussions would have to be held in relation to the designation of such ports; but these might await a later stage.

Lord Beaverbrook noted, and Mr. Berle agreed, that, under this arrangement any question of the so-called air bases, which more properly should be called airfields, built by the cooperative effort of two or more nations, would disappear. Those that were reasonably useful for commercial outlet would thus become available for use by the craft of both countries. The technical "ownership" or legal title to the base then ceased to be important. At this stage, discussion on point eight, namely, the principle that each state should be responsible for the provision and maintenance of ground facilities needed in its territories, became appropriate. The principle was expressed by both groups as corresponding with the present views of their respective Governments.

FREQUENCIES AND TRAFFIC

In turning to the economic characteristics of air transport services the British delegation suggested that the objectives should be:

- (1) To set up effective machinery to insure the maintenance of broad equilibrium between the world's air transport capacity and the traffic offering.
- (2) To provide for equitable participation by the various countries participating in international air transport.
- (3) To control subsidies with a view to making air transport self-supporting wherever practicable.

The American group said that the first objective seemed wholly appropriate; that the second implied a degree of control which seemed undesirable; and that the third, although certainly acceptable in principle, presented great difficulties because of the manifold forms that subsidies might assume. In this connection, the American group believed that it would be easier to control any evil consequences of

subsidies than to apply a general rule with respect to the subsidies themselves. Giving specific form to the second of their three objectives, the British group then advanced the proposal that frequencies should be apportioned by international authority on the principle that each country should have the right to carry traffic originated by it, and should thus be entitled to receive routings and frequencies sufficient for that purpose. Being asked for a definition of traffic originated by it, the suggestion was advanced that this should be determined by the place at which a passenger bought his ticket, or from which mail or freight was shipped. The American group pointed out that this in substance amounted to an equal division of traffic irrespective of the circumstances of its movement; thus, since most air travelers commonly returned to their point of origin, the result would be that one half the traffic would have been originated where they started and another half would have originated where they purchased their tickets for return.

The American group believed that if there were to be any classification of traffic by national origin the place of origin of passengers should be considered as their place of citizenship or of residence. This should not be rigid, in the sense of confining nationals to their own planes. But a British or American traveler leaving his country on a British or American plane should be able, if he wished, to return by British or American plane; and the respective countries should in each case be in a position to offer requisite service by its own planes to its own nationals. The British group conceded that there was substantial force in the American position with respect to the significance of a passenger's nationality, as contrasted with his mere place of embarkation, but the point was not developed in detail.

UNECONOMIC COMPETITION

The meeting thereupon proceeded to discussion of point five, having to do with the elimination of uneconomic competition by control of rates.

The first point raised was that of control of subsidies. The British group took the position that subsidies should be controlled in some measure, lest competition in air traffic should become simply a competition in government subsidy. They expressed the view that, so far as possible, air traffic should be made to pay its own way as rapidly as situations permitted. The American group agreed with this general point of view, but pointed out the extreme difficulty of ascertaining whether subsidies had or had not been granted; and the necessity of subsidies in respect of certain services where there might be necessity for communication without passenger and freight traffic sufficient to pay the cost of the service. They surmised that the British Government might find that it needed similar service; to which the

British group agreed. The British group cogently pointed out that if routes and frequencies were handled so as to correspond to national traffic, the countries which might have only a limited amount of traffic but nevertheless wished to run a service, possibly at infrequent intervals, might find it necessary to subsidize for the purpose of keeping their planes in the air at all.

After very lengthy discussion, the suggestion was finally made that in principle subsidies were legitimate for the purpose of keeping planes in the air; but that they could not be legitimately used for the purpose of forcing competing planes out of the air. Note was taken of the fact that acceptance of the principle, by itself, was by no means self-enforcing; and the meeting thereupon proceeded to discuss certain definite practices.

The British group presented the suggestion that there should be agreement upon minimum rates. The American group agreed to this view, suggesting that such agreement be had through mutual consultation between the relevant authorities of the interested Governments in respect of each route. Note was taken of the British preference for an international rate fixation body. It was pointed out that the alternative was private agreement between the airlines involved without benefit of Government authority; so that in fact some sort of rate regulation, public or private, appeared inevitable. The British representatives stated that in this respect they likewise wished to make a reservation that any understandings reached should be conditional on international control. The American group stated that they believed this was a matter for bilateral or possibly multilateral action through consultation between the interested governments based on experience; and the point was reserved.

The British representatives then observed that, in their view, minimum rates should be differential, based on the type and speed of service, so that a fast service should not be permitted to charge the same rate as a slow service, et cetera. The United States representatives stated that in their view the encouragement of continuous development in aircraft was essential both for the good of the industry and for the security of the United States, and they would not care to agree to a principle which penalized the better planes in favor of the worse, or to make it advantageous to a line to have the less developed aircraft. Accordingly, they proposed that the differential in rate be based on differential in operating cost, so that, if either country were able to develop a plane which could operate at higher speed but at the same cost, it might secure the legitimate advantage due thereto. This principle appeared to be satisfactory likewise to the British representatives; the reservation made by the British representatives regarding international control, however, applying to this

point also. As further clarification, it was the view of both groups that reasonable differentials should be accepted in respect of more expensive service, where the additional expense arose chiefly from greater luxury, accommodations, or the like, occasioning a greater cost. It was agreed that this might be the subject of further technical discussions at a later stage.

PROPOSALS FOR INTERNATIONAL CONTROL

Lord Beaverbrook then discussed in general terms the subject of an international agreement governing the control of international air transport. He emphasized the necessity from the British point of view of some kind of international control to direct and govern the growth and conduct of international civil aviation.

The American group presented the difficulty which the United States would have in accepting it, adding that it was by no means clear that under our constitutional practice the American Government could delegate regulatory powers to an international commission. Unlike the monarchical tradition of Great Britain, which proceeds on the theory of powers delegated by the Sovereign, our own Government was itself a government of delegated powers, deriving its authority from the Constitution. The authority of the United States Government was thus limited to making understandings with respect to the use of its sovereign powers by recognized international procedure.

Further, it seemed to the American group that the emphasis on international control was largely derived from considerations of international security. This was a separate subject, which, it was understood, was to be separately dealt with by the representatives of the Governments in respect of international security. It was understood that exchanges between our respective Governments on that subject were to take place within the next few months; and the operative points in the British contention would more properly be handled there.

The American representatives also pointed out that a newly created international commission would in any case be confronted in its initial stages with such complex problems of procedure and of developing its own practices suitable to an entirely new field of work, that it would be impossible to hope that it could competently assume large executive responsibilities, or broad responsibilities of final judicial determination, in the very first stages of its functioning. An international commission, the Americans urged, would have a far better chance of success if it started with its functions limited to study and recommendation, with its future role to be determined by actual experience and by the commission's success in building for itself

a reputation for genuine competence, impartiality, and freedom from the influences of political intrigue.

Lord Beaverbrook then proposed, on behalf of the British Government, the acceptance, in principle, of the draft convention suggested by the Canadian Government.

The British Government, he stated, considered international control essential, and thought that other commercial arrangements proposed would be difficult or perhaps wholly impractical if this were not worked out along the lines of the Canadian agreement.

The American group pointed out that in certain essential respects the United States would find difficulty in accepting all of the Canadian proposals.

The meeting thereupon proceeded to an analysis of the Canadian agreement point by point. The American group pointed out that under the Canadian scheme, an international regulatory body was given extremely broad powers, and that no principles governing the use of those powers were set forth in the document. Further, the constitution of the control machinery was still indefinite; and the only certainty was that the powers who had contributed most to the development of air traffic were certain to be in the minority. So far as the United States was concerned, this would in effect subject twenty-five years of American development of international aviation, which had been invented, pioneered, developed, established, and defended by the United States, to the unrestricted rule of an as yet undetermined international body, upon unstated standards.

Further, even the facts as to international traffic were unknown. Prior to the war the United States had originated eighty percent of all of the interoceanic traffic, and had carried an even larger percent. While this ratio could hardly be expected to continue, the war had distorted further air traffic development so that the actual necessities and development of the situation were wholly speculative. Estimates varied from that of Mr. Juan Trippe,⁸⁸ who said all trans-Atlantic traffic could be carried by nine planes, to estimates of greater optimists forecasting an immense interoceanic traffic.

The view of the United States, accordingly, was that international control at this time should be limited to those technical matters in respect of which standardization and uniformity were essential. In economic aspect, the economic body should be vested with power to receive and collect data on all of the phases discussed; to report regularly and at frequent intervals, and, if an unhealthy situation appeared to be developing, to call attention of the respective governments to the situation and stimulate their getting together through their respective aeronautical authorities to take necessary remedial meas-

⁸⁸ President of Pan American Airways.

ures. If the governments concerned felt that they wished to do so, the international body might be used as arbitrator, though this should rest in the discretion of each government.

As the close of a suitable transition period during which time the actual facts of the case had been adequately developed, further conference might take place to determine what, if any, further action should properly be taken. Particularly if understandings had been reached on the underlying principles by the governments concerned, it was thought that the international body could function usefully, without endowing it with super-sovereign powers which it would find extreme difficulty in using and enforcing.

The British representatives pointed out with great earnestness that we were now entering a new and uncharted field. Transportation was entering a third dimension. None had suffered more than the British from the abuse of aviation; that civil air transport had been used by Germany to develop within herself the material for the *Luftwaffe*; planes had been used for combined military and political as well as commercial reasons; the handling of civil aviation throughout the world had been as much a matter of politics as of economics; and the possibility of leaving this potentially dangerous instrument to unregulated competition was a point which the British Government would find extreme difficulty in accepting. Thus, the various views which they had accepted in respect of economic matters must be subject to the existence of overriding controls adequate to prevent them from becoming dangerous.

For this reason they urged the creation of a body with powers substantially similar to those set out in the Canadian document.

Matters having reached an impasse, the discussion was carried forward at a meeting with the British Civil Air Transport Committee especially convened for that purpose.

At this meeting the British view in favor of internationalism was forcibly presented by several members, and the whole subject was reviewed in approximately the terms indicated above.

After adjournment, the British representatives announced that they wished to withdraw the Canadian document and to propose in lieu thereof a new document, a copy of the so-called "Balfour Report" (attached hereto, marked "Annex B"). This document had proceeded from the conference between the British Commonwealth Nations, held in October 1943. The American group requested time for examination of this document.

Having completed their examination, the American representatives stated that, in the light of the views previously expressed and on which a wide measure of agreement had been had, the American representatives felt that the document did in fact constitute an ade-

quate basis of discussion affording the possibility of agreement between our respective Governments. They pointed out that such agreement would probably not be possible if the interpretations of principles enunciated in the Balfour document were the same as those set out in the Canadian draft convention. But within the scope of the wording of the Balfour document, an international body could be set up and might be assigned functions similar to those which corresponded to the present views of the Government of the United States.

In particular, the American group referred to the following provisions: Paragraph 2 (IV), "Schedule of international air routes subject to international control. Such routes to be reviewed as necessary"; Paragraph 2 (V), "Establishment of machinery to determine frequencies on international routes; the allocation of quotas to countries operating international services; rates of carriage in relation to standards of speed and accommodation"; Paragraph A (a) "Voting powers should be determined on an equitable basis to be worked out"; and related paragraphs, as being ambiguous, and noted the necessity of an acceptable interpretation in order that the Balfour report might in fact be able to cover a result which could be accepted as satisfactory. Especial note was made of the fact that the Balfour report did not, as did the Canadian document, assign by its terms power to the international body.

The British group indicated that they felt that on this basis agreement could be had within the scope of the reasonable negotiations which might take place prior to an international civil air transport conference; and that it would be possible, accordingly, to harmonize the views of the British Government with those of the Government of the United States.

ARRANGEMENTS FOR A CIVIL AIR TRANSPORT CONFERENCE

The possibility of arrangements for a civil air transport conference was then discussed. The United States expected to have discussions with a Soviet delegation in the near future; the British representatives stated that they had requested that this delegation, after discussing matters in Washington, might proceed to London. The American representatives said that they would welcome such a step.

The American representatives felt that it was opportune now to engage in further bilateral discussions with the other powers who wished to enter the air, setting out the views which have been expressed in these discussions. It was agreed that this method might be profitably employed by both Governments, each keeping the other informed as to the progress of discussions. When it appeared that there might be ground for general agreement, an exchange of views

would take place as to the desirability of calling a United Nations civil air transport conference.

It was further agreed that the conversations thus begun might be continued very informally through the diplomatic channel or by the sending of representatives from either Government to the other to continue to engage in conversations as the bilateral conversations progressed.

THE HALIFAX AGREEMENT ON NON-DISCRIMINATION ⁸⁷

The American group then brought up the fact that the American and British Governments were both proceeding under the terms of an understanding embodied in the so-called Halifax note, by which each Government agreed that it would not enter into understandings with other governments exclusive of or discriminatory against each other. The American group pointed out that this understanding was to exist until such time as conversations were had between the two Governments. Since these conversations were now in process of being accomplished, they hoped that the understanding might be continued, in any event until the meeting of a civil aviation conference. Mr. Le Rougetel explained that in the view of the British Foreign Office, the Halifax note should be completed by a further exchange of documents and that it would be desirable to put the matter into somewhat better form. It was understood that such an exchange would take place through diplomatic channels.⁸⁸

The United States group then expressed their hope that as a part of the general settlement it might be understood that no government would enter into arrangements exclusive of the other, nor permit such arrangements by private treaty. It appeared that, in the contingency that suitable agreement could be had on international arrangements, the British delegates held much the same view. The suggestion was made that in any convention accepted by the proposed civil aviation conference, such clause might appear.

Just prior to closing the sessions, Beaverbrook noted that the BOAC proposed to use three of its Boeings for limited service across the South Atlantic to Rio to carry non-fare paying traffic. Their real objective was to establish communications with Argentina, but considered that this could not be done until the political situation with Argentina was better than at present.

CLOSING REMARKS

As the sessions closed, Mr. Berle expressed, on behalf of the American group, their very deep appreciation of the many courtesies and kindnesses shown them by their British colleagues, and their gratitude

⁸⁷ See *Foreign Relations*, 1942, vol. IV, pp. 18 ff.

⁸⁸ See vol. III, pp. 162 ff.

for the frankness and directness with which views had been exchanged, and for the reasonableness which the British representatives had shown in meeting the various matters in respect of which difference might ensue. A final communiqué (attached, marked "Annex C")⁸⁹ was drawn up and agreed to by both groups, and thereupon was released.

Lord Beaverbrook very graciously expressed the kindly feeling which the British Government had had in entertaining the American representative, and expressed the belief that these conversations would be the forerunner of closer contacts as time went on. The meetings were then adjourned.

A. A. BERLE, JR.

[Annex A]

British Informal Statement of Matters for Discussion

(1) Safety regulations, such as rules of the air, airworthiness, licensing of personnel and aircraft, ground signals, meteorological procedure, prohibition of carriage of dangerous goods, etc.

(2) Standardisation, so far as possible, of radio equipment and technique, ground services and meteorological facilities.

(3) Customs procedure, passenger formalities and sanitary regulations.

(4) Conditions for the exemption from taxation of fuel and oil.

(5) Elimination of uneconomic competition by control of rates and competitive practices, e.g., by the regulation and adjustment of frequencies of service and rates in relation to speeds and standards of passenger accommodation.

(6) Control of subsidies: collection, review and exchange of information about services maintained, operational costs, nature and extent of subsidies, rates of carriage, landing fees, etc.

(7) Arrangements for licensing of international air operators: denial of facilities to any unlicensed operator.

(8) Establishment of the principle that all States should be responsible for the provision of the ground facilities needed in their territories in accordance with prescribed international standards. Financial arrangements to deal with countries unable or unwilling to provide the necessary facilities.

(9) Provision for arbitration machinery.

(10) Designation of routes or services and airports of entry.

(11) Reservation of cabotage and definition of territory of a State.

(12) Definition of whatever doctrine of freedom of the air is generally acceptable in the context of a satisfactory International Agreement governing the control of international air transport.

⁸⁹ Not attached to file copy.

- (13) International Operating Agencies.
- (14) Security.
- (15) Arrangements for International Conference.

[Annex B]

*Draft Outline of an International Convention and International Authority For Its Administration*⁹⁰

1. An International Convention must provide for international co-operation in air transport on international trunk routes. Equitable participation for all nations concerned is thus secured. Unfettered competition, rate warfare and other devices must be checked.

2. States should subscribe to an all-embracing Convention, which would include provisions covering:

(i) Regulations governing safety standards, aircraft and ground organisation, health, etc. Internal national services do not come within the Convention. It is hoped that States would voluntarily adopt international standards for their internal systems.

(ii) Definition of State territories. The reaffirmation of National Sovereignty of the Air.

(iii) Obligation to provide, or to permit provision by the International Authority referred to below, of the airfields and ground organisation necessary for international services. The location of such facilities would be decided by the State concerned.

(iv) Schedule of international air routes subject to international control. Such routes to be reviewed as necessary.

(v) Establishment of machinery to determine frequencies on international routes; the allocation of quotas to countries operating international services; rates of carriage in relation to standards of speed and accommodation.

(vi) Provision of machinery for arbitration on matters in dispute and for sanctions for offences.

(vii) Definition of "Freedom of the Air", to be granted subject to acceptance of other provisions of Convention:

- (a) the right of innocent passage;
- (b) the right to land for emergency, refuelling, etc.
- (c) the right to disembark passengers, etc. from the aircraft's own country of origin;
- (d) the right to embark passengers, etc. for the aircraft's own country of origin.

3. An International Air Transport Authority will be established to administer the Conventions.

A. INTERNATIONAL AIR TRANSPORT AUTHORITY

(a) *Constitution*

To consist of Government representatives of all the States subscribing to the Convention.

⁹⁰ Drawn up at the conference between the British Commonwealth Nations in October 1943, and known as the Balfour report.

Voting powers should be determined on an equitable basis to be worked out. (Traffic interest might be the test or one of the tests, in which case periodic review would be required.)

(b) *Functions and Powers*

- (i) To administer the regulatory provisions of para. 2(i) above,
- (ii) To prescribe standard requirements for international aerodromes and ancillary facilities to be provided by contracting states;
- (iii) To ensure provision of aerodromes and ancillary facilities for international services in cases where the States concerned are unable to do so.

B. OPERATIONAL EXECUTIVE OF I.A.T.A.

An Operational Executive of the I.A.T.A. will be set up:

(a) *Constitution*

Its constitution is a matter of policy. Possible alternative methods are:

- (a) members to be nominated in the Convention
- (b) election of members by the I.A.T.A.
- (c) nomination of members by the major air powers.

(b) *Functions and Powers*

- (i) To exercise, subject to delegation to Regional Panels, the functions in para. 2 (iv) and (1), viz., matters arising from:

- (a) schedule of international air routes subject to international control.
- (b) determination of frequencies on international routes; the allocation of quotas to countries operating international services; rates of carriage in relation to standards of speed and accommodation.

- (ii) To review and, after hearing interested parties, to modify, if necessary, the decisions of the Regional Panels.

In the light of fluid post-war conditions the proposals in this paragraph should be for a limited period, say five years, and subject to review during this period.

C. REGIONAL PANELS

(a) *Constitution*

Membership would be confined to Governmental representatives of the States agreed by the Operational Executive as having an interest in international routes in the areas concerned.

(b) *Functions and Powers*

The functions to be exercised in relation to operating zones to be defined in the Convention would be:

(i) To consider the needs of air transport within the zone; to determine frequencies and quotas for services within the zone.

(ii) To determine tariff rates, having regard to standards of speed and accommodation.

(iii) To collect information and cost statistics relating to external operations. External operating costs should be segregated, so far as practicable, from internal operating costs.

NOTE: International Routes would be defined in a schedule to the Convention and would be subject to review as necessary. The definition of "internal" services is difficult. It is necessary to consider the wishes of certain countries to make regional arrangements. In considering this problem it should be noted that Article I of the 1919 Convention defined the territory of a State as "including the national territory, both that of the Mother country and of the Colonies and the territorial waters adjacent thereto."

800.796/719 : Telegram

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

LONDON, April 19, 1944.

[Received April 19—8:56 p. m.]

3208. In the House of Commons yesterday, Simmonds⁹¹ and Shinwell⁹² asked the Prime Minister for a statement regarding the recent Anglo-American discussions on civil aviation. The Prime Minister said that he was glad that sufficient agreement was reached for both countries to support the holding of a conference with the expectation that an agreement could then be achieved. Concessions were made by both the United Kingdom and the United States, and they related only to the basis on which discussions would be launched at the international conference. In reply for [*sic*] to further urging for a statement, the Prime Minister said: "I do not think myself we are in a position to advocate a particular policy at a particular moment. We must give the negotiators a chance and it is better for us to see what other countries will put forward before we unfold it all. On the other hand, I can also imagine there might be an occasion to debate the matter in a general way without pinning the delegates down to any particular action." The Prime Minister added that the Russian Government was being kept informed.

WINANT

⁹¹ Sir Oliver E. Simmonds, Conservative Member of Parliament.

⁹² Emanuel Shinwell, Labor Member of Parliament.

800.796/747 : Airgram

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

LONDON, April 20, 1944.

[Received April 29—3 p. m.]

A-480. Reference Embassy's 2025, March 13, 7 p. m. Jeffcock⁹⁴ and Duncan⁹⁵ left last night by sea for the United States for talks on aviation radio with members of the Civil Aeronautics Administration. They expect to arrive in Washington about May 1.

WINANT

800.796/739

The Chinese Chargé (Liu) to the Secretary of State

WASHINGTON, April 21, 1944.

SIR: I have the honor to refer to the Department's *Aide-Mémoire* of March 25, 1944, inquiring whether the Chinese Government would be interested in joining in exploratory discussions on the subject of post-war aviation with particular reference to the development of international air transportation, and enclosing the proposed agenda of subjects relating to international civil aviation.

Under the instructions of the Minister for Foreign Affairs, I beg to inform you that the Chinese Government has appointed Mr. Chang Kia-NGau, Adviser to the Executive Yuan and formerly Minister of Communications, and Major-General P. T. Mow, Deputy-Director of the Commission on Aeronautical Affairs, as delegates to participate in the preliminary discussions in Washington. Mr. Chang and Major-General Mow are now in the United States and will be ready to begin the talks at any time suitable to the delegates of the United States Government.

Accept [etc.]

LIU CHIEH

800.796/733 : Telegram

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

LONDON, April 25, 1944—4 p. m.

[Received April 25—11:13 a. m.]

3384. Masfield of Lord Beaverbrook's office says that the British decision on whether to discuss aviation matters informally with the Russians prior to a general conference will depend on the result of the United States-Russian talks.

WINANT

⁹⁴ Robin J. P. Jeffcock, an official of the British Ministry of Aircraft Production.

⁹⁵ William Aver Duncan, an official of the British Air Ministry.

800.796/754

*The First Secretary of the British Embassy (Barclay) to the
Assistant Secretary of State (Berle)*

Ref: 56/176/44

WASHINGTON, [undated.]

DEAR MR. BERLE: In the temporary absence of Mr. Wright, I send you herewith a copy of a telegram, sent to us by the Foreign Office on behalf of Lord Beaverbrook. This telegram is in reply to the message we sent to London, containing the amendments you had suggested to the answer which Lord Beaverbrook proposed to make to the question in the House of Lords regarding your recent conversations about civil aviation, a copy of which was enclosed in Mr. Wright's letter of April 19th to you.⁹⁶

We will, of course, be very glad to forward to Lord Beaverbrook any reply you may wish to make to the question he puts in the last paragraph of the enclosed message.

Yours very sincerely,

R. E. BARCLAY

[Enclosure]

*Telegram From Lord Beaverbrook for the Assistant Secretary of
State (Berle), Dated April 24, 1944*

Many thanks for your telegram.

I accept all your amendments.

I will let you know when the statement is to be made. You will have seen that the Prime Minister dealt with a number of questions on the Conference in the House of Commons last week.

There is still great interest on the subject. What news have you of the Russians? We await your discussions with them which may make clearer many issues.

800.796/612 : Telegram

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

WASHINGTON, April 25, 1944—4 p. m.

3295. The following from Assistant Secretary of Commerce, Burden.

In regard to London Embassy cablegram #2025, March 13, would appreciate Embassy informing Hildred⁹⁷ as follows:

"In regard to forthcoming trip of Jeffcock and radio aviation technicians to U.S., Joint Chiefs of Staff have recently issued ruling that

⁹⁶ Not found in Department files.

⁹⁷ William P. Hildred, Director General of Civil Aviation, British Air Ministry.

postwar planning involving electronic matters classified U.S. confidential or higher should be postponed. However, there is a possibility that this ruling may be amended and both Warner and I feel that even if it is not much useful ground can be covered. We therefore suggest that the mission proceed as planned arriving as I understand about May First."

[Burden]
HULL

800.796/754

The Assistant Secretary of State (Berle) to the First Secretary of the British Embassy (Barclay)

WASHINGTON, April 29, 1944.

MY DEAR MR. BARCLAY: Please transmit the following to Lord Beaverbrook:

"Thank you for your messages of April 17 and 24. I very much hope we shall have the privilege of continuing to work on this matter and of working together on other matters, and that we shall have the opportunity of returning your hospitality here, though we can do it less royally than you do.

"The Russians state they are on the way, but they have not got here and I have no knowledge what is holding them up. The Chinese representatives have been designated and we propose to begin any time. We shall, of course, keep you advised in both cases.

"We have likewise reported fully to the respective Committees of the United States Senate on our conversations, and my impression is that they feel that very satisfactory progress was made in London. They were especially appreciative of your statement about air bases, and cordially endorsed my statement about planes being made available on a nondiscriminatory basis to Britain in the interim before British production gets going. The Canadians seem happy, and all we need to make some real progress is the arrival of the two Moscow delegates.

"We have withheld public statement, but there is generally a favorable climate here, and I think there will be no misunderstandings over air to complicate the very great problems our two Governments must tackle jointly. Regards. Berle."

Sincerely yours,

ADOLF A. BERLE, JR.

800.796/813

Memorandum of Telephone Conversation, by Mr. Joseph C. Grew, Special Assistant to the Secretary of State

[WASHINGTON,] April 29, 1944.

I called the Russian Ambassador on the telephone this afternoon and asked him if he yet knew when the two officers coming from Moscow

to take part in the post-war civil aviation exploratory talks would arrive in Washington. He had previously told me that they were expected between April 10 and 15. The Ambassador replied that he expects the two officers "within a week or ten days", but he appears to have no specific information on this point and he made no excuses for or any explanation of the delay.

The Ambassador said that it would be possible to commence the conversations with the group already present in Washington if the matter were regarded as urgent but that he would prefer to await the arrival of the officers from Moscow. I said that if this was his wish, I saw no reason for not awaiting their arrival but that in the meantime we might feel obliged to commence conversations with certain other countries. The Ambassador raised no objection to such procedure.

JOSEPH C. GREW

800.796/829

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

[WASHINGTON,] May 1, 1944.

The Brazilian Ambassador⁹⁹ came in to see me at his request. He wished to inquire what he could be told about the air conversations held in London.

I told him I was glad that I could be quite frank about them. We had an understanding with the British that we might inform the representatives of other countries with whom we might wish to have air conversations, the results of the conferences. We hoped to have conversations in the not-distant future with Brazil on this subject.

I then reviewed orally the general outlines of the discussions we had had. These are embodied in a memorandum, a copy of which is attached.¹ I told the Ambassador that I would give him such a memorandum on a wholly personal and entirely non-committal basis merely to serve as foundation for the telegraphic report he wished to make to his Government.

I further said to him that we would be glad to enter into conversations with representatives of Brazil when they were ready, but that we expected first to talk to the Chinese Government and to the Soviet Government when their representatives arrived.

A. A. B[ERLE], JR.

⁹⁹ Carlos Martins.

¹ See memorandum to the Brazilian Embassy, p. 466.

800.796/752 : Telegram

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

LONDON, May 1, 1944—10 p. m.

[Received May 1—9:15 p. m.]

3573. Please notify Burden and Warner that Hildred, Director General of Civil Aviation, wishes to come to the United States for about a week during May to make arrangements for technical discussions contemplated in Berle-Warner London talks. Formal request will probably come to the Department from Foreign Office in about a week. If there is any objection to his coming at this time, or if some specific period of one week would be particularly convenient, please telegraph the Embassy. It would be appreciated if the British Embassy were not notified until it approaches the Department.

We believe it would be most useful for Hildred to go to the United States at this time, not only for the contribution he will make to the eventual success of the technical discussions to be held, but also because he has become increasingly disposed to the United States point of view on degree and type of international economic control of civil aviation, and will be in a better position to interpret this view after a trip to the United States. This paragraph is, of course, most secret.

WINANT

800.796/799a : Telegram

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

WASHINGTON, May 3, 1944—11 p. m.

3548. Please inquire whether the Prime Ministers of Australia and New Zealand would be disposed to have exploratory conversations on post-war international aviation when they pass through Washington on their way home. If so we should be delighted to take this opportunity for such talks and would like to know when they will arrive and who would participate for Australia and New Zealand. You may give each of the Prime Ministers a copy of the agenda which we prepared for our talks with the Canadians and British.

HULL

800.796/851

The Egyptian Minister (Hassan) to the Secretary of State

WASHINGTON, May 4, 1944.

SIR: Acting upon instructions of my Government, I have the honour to transmit to you the following note:

"The Egyptian Government has been following with keen interest the development of study and exchange of views taking place between the American and the British Governments pertaining to the plans of future civil aviation. This question which is so important to the future of the world, is doubly so for Egypt because of her geographical position and the presence on her soil of important aerodromes. The Egyptian Government, is therefore confident that nothing touching upon its direct or indirect interests and rights will be decided upon without its concurrence and that Egypt will be invited to take part in the deliberations of any future conference that might be held for the discussion of this question in so far as it would affect, in any way, the interests of Egypt."

Please accept [etc.]

HASSAN

800.796/783 : Telegram

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

LONDON, May 5, 1944—8 p. m.

[Received May 5—8 p. m.]

3691. For Assistant Secretary Berle and Burden. Yesterday Sir Stafford Cripps took up with me the Department's message 3295 of April 25, 4 p. m. He hoped very much that the decision of the Joint Chiefs of Staff could be amended to permit the conference to proceed as agreed. He is sending Sir Robert Watson-Watt to see me on this subject and plans to have him go on to the United States.

I am very certain that without the background of technical exchange which could be accomplished by these discussions, any effort to convene an international civil aviation conference as planned would be seriously handicapped.

I wish you would discuss this matter with Edward L. Bowles who is assistant to Secretary Stimson² in charge of these matters as well as acting as advisor to General Arnold.³ I explained the situation to him when he was in London recently and he told me he would gladly cooperate.

I believe it would help to get Theodore Wright's⁴ judgement as he is also fully informed.

WINANT

² Henry L. Stimson, Secretary of War.

³ Gen. Henry H. Arnold, Commanding General, U.S. Army Air Forces.

⁴ Theodore P. Wright, member of the National Advisory Committee for Aeronautics.

800.796/783 : Telegram

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

WASHINGTON, May 6, 1944—3 p. m.

3623. From Berle. Even before your telegram we had already taken up with the Joint Chiefs of Staff the subject matter of your 3691 of May 5, 8 p. m. In my judgment there is good prospect of getting a sufficient amendment of the decision to permit useful exchanges, and we are proceeding on that basis. We will take the matter up further through Bowles as you suggest. I agree that a considerable exchange of technical information will be necessary to have a satisfactory conference. [Berle.]

HULL

800.796/796

*The Department of State to the Brazilian Embassy*⁵

MEMORANDUM

Representatives of the Department of State and the Civil Aeronautics Board recently exchanged views on international civil aviation with representatives of the British Cabinet Committee on Civil Air Transport in London. The specific purpose of the conversations was to prepare the way for a possible international conference on civil aviation to be held later.

Three general fields were covered: namely, (1) Technical aspects of international aviation; (2) Policies with respect to economic aspects of international aviation; (3) An international organization as a permanent feature of international aviation.

With respect to the first subject, there was little divergence of view since all parties recognized the necessity for standardization of technical arrangements wherever possible. Accordingly, arrangements were made for continuing conversations by technical experts of the two Governments in the following fields:

- (a) Communications systems and air navigation aids;
- (b) A collection of exchange of meteorological information;
- (c) Rules of the air and traffic control practices;
- (d) Customs and immigration requirements;

⁵ Marginal notation reads: "Mailed to Brazilian Embassy unsigned and undated in an entirely unofficial manner on May 6, 1944. A. A. B[erle]." Identical memoranda were handed to the Soviet Ambassador on May 6 and to the chief Chinese delegate, Mr. Chang Kia-NGau, on May 9; each was informed that the document was given him confidentially, unofficially and for his personal use. An identical memorandum was also transmitted to the Canadian Embassy on May 11. (800.796/825, 833d, and 883a)

(e) Rules relating to the exemption from taxation of fuel, oil and other supplies and spare parts intended for use in transport aircraft in international service;

(f) Regulations relating to the prevention of any transmission of communicable disease by aircraft;

(g) Standards governing the licensing of operating and mechanical personnel;

(h) Requirements relative to the certification of aircraft and their equipment as airworthy.

Experts in each of these fields to be designated by the appropriate authorities in Great Britain and in the United States are expected to enter into these discussions shortly.

With respect to the economic aspects of international aviation, it is understood that the present British views depend in some measure on further exploration of the subject of a permanent international aviation organization. Subject to this understanding, however, a number of subjects were discussed.

It was agreed that each nation must maintain sovereignty of the air over its national territory and coastal waters. However, it was also agreed that the interests of most nations are best served by permitting freedom of transit with rights of technical stop, and with rights of commercial entry at numerous suitable airports designated for that purpose. Arrangements should therefore be made for transit of aircraft analogous to existing arrangements which provide for transit by foreign ships, foreign automobiles, and foreign railroad trains. Understandings relating to the right of free transit would be contingent upon the reaching of mutually satisfactory understandings by bilateral agreement with respect to the right of commercial entry.

It was noted that the policy of the British Government has in part already been announced as follows in a speech made by Lord Beaverbrook in the House of Lords: "As for the bases under our control . . .^{5a} the Government have no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves. Rather do we mean to use them for the purpose of steadily developing civil aviation throughout the world." And again: "Complete freedom of the air in the present state of the world might result in commercial anarchy." This policy, if generally adopted, would appear to eliminate any doubt as to the use of the airports constructed by any of the United Nations in territories of others for war purposes, since under this policy such of these airports as are useful for commercial purposes will become available for international air traffic.

It was agreed that on established international air routes the number and frequencies of schedules should be those needed to carry the

^{5a} Omission indicated in the original memorandum.

available traffic. Adequate facilities should at all times be available for the traffic desiring transportation.

Cabotage would in all probability be reserved but should be considered as including only traffic within a country and between that country and its colonies or dependents, but not between self-governing affiliated countries, such as Great Britain and the British Dominions.

It was agreed that wherever possible civil aviation should be established on a sound commercial basis and be self-supporting without government subsidy; nevertheless it was recognized that such a result could probably only be attained gradually. The principle was expressed that subsidies were legitimate to keep aircraft in the air but were not legitimate for the purpose of creating conditions which would force other aircraft out of the air.

Nothing should be done to discourage the development of new types of aircraft performing better service than older types at a comparable operating cost.

It was agreed that international control in the technical field is desirable and in many cases is essential. However, in the economic field the view of the United States has been that since pre-war experience is not adequate as a guide and post-war conditions are still speculative, the facts of the case cannot yet be fully developed. Therefore the degree of international control which would be desirable cannot yet be determined.

An international fact-finding body during a transition period might be extremely useful and if it functioned in a manner to command the confidence of all governments such a body might gradually undertake certain economic functions. In the meantime, mutual and frequent consultations between the aeronautical authorities of the various governments concerned would serve to deal with the various economic problems as they arise. Furthermore, occasional international air conferences would furnish a suitable medium for examining problems of general interest for which solutions might be found which could be adopted by general consent.

800.796/5-644

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

Ref. 56/187/44

WASHINGTON, 6 May, 1944.

DEAR MR. BERLE: With reference to my letter of May 2nd,⁶ I now enclose a copy of a further telegram from Lord Beaverbrook which has just reached us.

⁶ Not printed; it was an acknowledgment of Mr. Berle's letter of April 29, p. 462.

For convenience of reference I also enclose herewith a copy of that part of Lord Beaverbrook's declaration of January 19th,¹ to which he refers in the fourth paragraph of his telegram attached.

Yours sincerely,

MICHAEL WRIGHT

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle)

Thank you for your messages. I am gratified at the way Senate Committee have understood our point of view. We are moving in the direction of a united front which will enable us to dispose of all issues, not only for ourselves but for the other nations concerned.

In replying to the impending debate in the House of Lords I propose, subject to your consent, to refer to your generous statement about the supply of aircraft in the following terms:

"As to the supply of transport aircraft in the period immediately following the end of the war, Mr. Berle brought us assurances of a most generous character. As your Lordships know, a pooling arrangement in manufacture was made early in the war whereby the United States agreed to construct long-range heavy air planes while the United Kingdom was encouraged to build fighters. This was a most admirable and sensible division of responsibilities for war purposes but it plainly conferred on the United States advantages in relation to post war manufacture for civil aviation markets. You can understand therefore with what pleasure I heard from Mr. Berle that the United States was prepared to make transport aircraft available to Britain on a non-discriminatory basis in the interim period before British production of these types gets going."

On the subject of air bases and the issues concerning them, I propose to speak in terms identical with those of my declaration in the House of Lords on January 19th published in official report (Hansard) column 462.

Do you approve?

I take this opportunity of expressing the confidence which I share with you that we shall reach a reconciliation of view points between our two Governments on all these difficult aviation questions.

You may be sure in your leadership of this movement for organisation of civil aviation that we will cooperate. It is our intention to help you throughout to realization of this purpose.

¹ For text of this enclosure, see second and third paragraphs of extract from the January 19 speech by Lord Beaverbrook, pp. 368-369.

800.796/5-644

*The Assistant Secretary of State (Berle) to the Counselor of the
British Embassy (Wright)*

WASHINGTON, May 8, 1944.

MY DEAR MR. WRIGHT: Thank you for your letter of May 6, 1944 enclosing copy of a telegram from Lord Beaverbrook. Will you be kind enough to telegraph him as follows:

"I appreciate your kindness in telegraphing texts of proposed statement on May 10. Both the repetition of your statement concerning airfields and your quite accurate paragraph regarding the supply of transport aircraft after the war will, I think, be very useful.

"The Soviet representatives not yet having turned up, we are beginning conversations with the Chinese tomorrow, and will begin other conversations as rapidly as may be.

"Does the subject of telecommunications fall within your field? Berle."

Very truly yours,

ADOLF A. BERLE, JR.

800.796/821a : Telegram

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

WASHINGTON, May 9, 1944—midnight.

3725. From Berle. Reference is made to my 3623 of May 6, 3 p. m. The ruling of the Joint Chiefs of Staff has been modified to allow the conference to proceed under certain restrictions which Burden and I believe would not be serious enough to preclude very considerable progress. We are quite pleased that Sir Robert Watson-Watt plans to come here.⁸ [Berle.]

HULL

800.796/849

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

[WASHINGTON,] May 10, 1944.

The Belgian Ambassador^{8a} came in to see me today at his request. The Ambassador referred to the conversations on civil aviation and to a report that the United States had been engaged in conversations

⁸ In telegram 3827, May 11, 8 p. m., the Ambassador in the United Kingdom reported: "Please inform Burden that Sir Robert Watson-Watt expects to arrive in Washington May 14" (800.796/797). The discussions regarding international standardization of radio for civil aviation were held May 19-June 5, 1944.

^{8a} Count Robert van der Straten-Ponthoz.

between the great powers and also with the Netherlands. He did not think this was true, but asked the general state of affairs.

I told him that we had only discussed matters with the British and, for local geographical reasons, with the Canadians; that we were beginning Chinese conversations this week, and expected to begin with the Russians on or shortly after May 15. Thereafter we proposed to discuss with other interested powers. I surmised that by the end of the month, if all went well, we might be ready to talk to other nations, including Belgium.

The Ambassador alluded to the difficulty of getting personnel here from London; but said that he would telephone me about the 22nd of May to find out how things stood and whether they should then press for permission for their expert to come here. He said the only aviation expert they had in the country was Perrier, of the Sabena (Africa) Line.

He also bespoke support for a note he had just sent asking three additional Boeings for the Sabena Line. I told him we were sympathetic but that the Army was very tough about transport planes.

A. A. B[ERLE], JR.

800.796/5-1344

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, 13 May, 1944.

DEAR MR. BERLE: You may care to have the following extracts, which have been telegraphed to us, from the statement on Civil Aviation made by Lord Beaverbrook in the House of Lords on May 10th.

Yours sincerely,

MICHAEL WRIGHT

[Enclosure]

Extract From Telegram Received From the Foreign Office, London, on May 12, 1944

1. *Anglo-American Talks.*

"We have taken another step forward since my last account to the House. We have had a conference with Mr. Berle and his colleagues representing the Government of the United States. It was a most excellent meeting. The deliberations have taken us very far along the road to agreement between the two governments. The United States Delegation proposed that we should go forward to an International Conference on the following lines: There should be an International Authority to lay down standards for technical requirements and for

rights of air carriage and to interchange information according to the American plan. The proposed authority would start on a non-executive basis with no power or means of enforcing its regulations at least during the interim period.

The United Kingdom Delegation presented for consideration the Canadian Draft Convention. This Convention lays down a detailed plan for an International Regulatory Authority with *powers of enforcement*. Its provisions include the allocation of frequencies of air services and national quotas for international air traffic.

This Canadian proposal was considered by the Americans to be too rigid as a basis for talks at the proposed International Conference. After discussion it was agreed therefore that we should go forward to the conference on the basis of proposals for international handling of Civil Aviation agreed at the Commonwealth conversations. These proposals are in some respects open to varying interpretations and were considered by the Americans to be flexible enough to provide a more satisfactory basis for an International Conference. The broad purpose would be to draw up an International Convention on Air Navigation to be implemented by an International Transport Organisation which would evolve standards, seek to eliminate uneconomic competition, work out for each nation an equitable participation in world air transport and maintain a broad equilibrium between air transport capacity and traffic on these general principles. The United States and Great Britain are in agreement that the powers of enforcement of the provisions are open to further discussion."

2. *Bases.*

"Our government has no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves, rather do we mean to use them for the purpose of steadily developing Civil Aviation throughout the world. Here it must be said that the bases are few in number at which any great volume of traffic can be collected. Just the same, it will be necessary to have international agreement on traffic regulations and arrangements. This is an essential condition of future developments."

3. *Supply of Transport Aircraft.*

"Mr. Berle has assured us most generously as to the supply of transport aircraft in the period immediately following the end of the war. You can understand with what pleasure I heard from him that the United States were prepared to make transport aircraft available to Britain on a nondiscriminatory basis in the interim period before British production of these types get going."

800.796/814

The Chairman of the Senate Subcommittee on Aviation (Clark) and the Chairman of the Senate Committee on Commerce (Bailey), to the Secretary of State

[WASHINGTON,] May 13, 1944.

MY DEAR MR. SECRETARY: You will find herein attached a clipping from the *New York Times* for Thursday, May 11th,⁹ being an Associated Press dispatch from London which has been reprinted in the *Congressional Record*. The contents of this dispatch have given considerable concern to many Senators and especially those who constitute the Subcommittee on Aviation, being a Subcommittee of the Committee on Commerce.

It is not necessary to repeat the contents of the press report, but your attention is called to the fact that Lord Beaverbrook, speaking in an official capacity and with reference to the conference attended by your Assistant Secretary, the Honorable Adolf A. Berle, Jr., stated that he was favorable to what he referred to as the "American Plan" respecting post-war international aviation. He went on to describe the "American Plan" as one "to curtail competition, based more along the lines of the Four Freedoms of the air—the right to fly, to land, to set down passengers, mail and cargo, and to pick them up anywhere in the world."

We have been in frequent conference with Mr. Berle and we did not gather that an American Plan had been determined, and certainly we did not gather that the plan would include any right of air transportation organizations of nations to set down passengers, mail and cargo anywhere in the world.

In view of the impression created by Lord Beaverbrook's statement, the Subcommittee feels it should have more information. We desire a full report of Lord Beaverbrook's statement, and if the State Department is prepared to give us a statement of its views in the premises we would greatly appreciate it.

I may say to you that the Subcommittee of the Committee on Commerce has been working with great diligence upon studies with a view to framing or making a contribution to framing an air policy from the standpoint of Congress. We hope to prepare a report in due time and we will be glad to submit at any time the data we have gathered and copy of the hearings. We wish to cooperate with the State Department and we are happy to say that so far we have had

⁹ Not reprinted; it reported the substance of Lord Beaverbrook's speech in the House of Lords on May 10.

no reason to complain in this matter. Mr. Berle has been quite considerate and our conferences with him have been of a character tending to make for the best relations.

With every good wish and with great respect,

Very truly yours,

BENNETT CHAMP CLARK

JOSIAH W. BAILEY

800.796/816 : Telegram

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

LONDON, May 15, 1944—5 p. m.

[Received 10:42 p. m.]

3929. With reference to the Embassy's telegram No. 3922 of May 15,¹⁰ we believe it advisable to telegraph a summary and extension of Embassy's despatch No. 15611 of May 12, 1944,¹¹ commenting on recent debates in the House of Lords on British civil aviation, and enclosing the full text of them.

Informed aviation circles here have expressed privately doubts as to the complete accuracy of Beaverbrook's statements with respect to the conversations with the United States. They simply do not believe that the United States would agree to make available transport aircraft to Great Britain and still permit Great Britain to exclude United States air traffic from British territory—whether on an innocent passage or commercial traffic basis, through the operation of an international control authority. In other words, they do not believe that the United States would ever make an arrangement at an international conference or at private talks with any nation whereby it permitted Britain to overcome its very important weakness in transport aircraft without pretty definite assurances that the United States could fly with traffic, to, through and over Great Britain (except cabotage). Some of these persons have asked the Embassy whether we thought Beaverbrook's statement would cause an unfavorable impression in the United States, particularly in the Senate. We said that we did think so. Some of the persons concerned with aviation here have expressed the fear that this impression if uncorrected would be so unfavorable that the possibility of coming to a satisfactory arrangement with the United States might be hurt.

¹⁰ Not printed; it quoted a despatch from a Washington correspondent printed in the London *Times* of May 15 (800.796/815).

¹¹ Not printed.

We wish to put every possible emphasis on the importance of our air transport equipment position not only with respect to Great Britain but with respect to the occupied countries and the neutrals. While it might be possible for the British to operate passenger services for a while after the war with converted bombers such as the York, they could not do so on any sort of competitive basis. The occupied countries and the neutrals who have no reasons whatever except absolute necessity for using British makeshift airplanes, look to the United States as the only possible source. As we have reported, the rumors of the Dutch and others ordering British airplanes are completely untrue. The Dutch at least and also the Swedes have asked us whether it is true that we will make aircraft available to the British on the terms indicated in Lord Beaverbrook's statement. It should be remembered that if the occupied countries and neutrals are allowed to believe that the United States will furnish transport aircraft to the British regardless of what the British do, or specifically under the conditions laid down in Beaverbrook's statement, they will feel that they too can obtain aircraft from us on the same basis without in any way contributing to the type of air world the United States wants. The more they believe this and the longer they believe this the easier it is for the British Government to influence their thinking; the more difficult it is for us to do so. From here, therefore, it would seem advisable for a spokesman of the Department to make it clear that obviously our supplying of transport aircraft, which we have every reason of doing for a multiplicity of reasons, assumes that Great Britain and the other nations as well, will make completely effective Beaverbrook's twice repeated, and originally unqualified, statement that Britain has no intention whatever of excluding anyone from British bases regardless of who paid for their construction.

It is for these reasons that from our point of view in London we think it would be a mistake to turn over through Lend-Lease or otherwise, under any circumstances, any civil aircraft newer and larger than DC-3's, prior to the international conference. It is also for these reasons we were disturbed by the possible implications of Lord Beaverbrook's letter to Howe referred to in our despatch No. 15627 of May 13.¹²

BUCKNELL

¹² Despatch 15627 not printed; it transmitted a clipping from the *Manchester Guardian* of May 13, 1944, quoting part of a letter from Lord Beaverbrook which Mr. Howe had read to the Canadian Parliament on May 11 (800.796/827). For text of the letter, dated April 26, 1944, see Canada, *House of Commons Debates*, vol. 82, No. 57, p. 2879.

800.796/811: Telegram

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

LONDON, May 15, 1944.

[Received May 15—5:03 p. m.]

3934. The Prime Minister of Australia has replied as follows to our invitation to discuss aviation matters informally in Washington on his way home:

"I am in receipt of your letter of 4th May, together with enclosure,¹³ relative to the inquiry of your Department of State whether I would be disposed to hold exploratory talks on post-war international aviation in Washington when I return there after the conclusion of my present visit to London.

It is essential that I should arrive back in Australia at the earliest possible date after the termination of the present conference and, having regard to the time needed to deal with important subjects requiring my attention in the United States and in Canada, I regret that it will not be practicable for me personally to engage in detailed discussions of the nature proposed.

My preliminary consideration of this matter indicates that great difficulty would confront my Government in arranging suitable representation at the proposed talks at the present. I am, however, having your suggestion further examined and advice will be furnished to you as early as possible. Signed: John Curtin."

BUCKNELL

800.796/5-1844

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, 18 May, 1944.

DEAR MR. BERLE: I enclose herewith a copy of a message just received from Lord Beaverbrook, in reply to your telegram of May 9th.¹⁴

A copy of the despatch which appeared in the London *Times* on May 16th [15th], referred to in the third paragraph of Lord Beaverbrook's telegram, is also enclosed.¹⁵

Yours sincerely,

MICHAEL WRIGHT

¹³ Neither printed.

¹⁴ See letter of May 8 from Assistant Secretary Berle to the Counselor of the British Embassy, p. 470.

¹⁵ Despatch not reprinted.

[Enclosure]

*Telegram Received From the Foreign Office, London, dated
May 16, 1944*

Following for Mr. Berle from Lord Beaverbrook.

Many thanks for your telegram of May 9th. I am glad to hear that your talks are going ahead well, and I am certain that you will bring them to a valuable conclusion.

2. The subject of telecommunications so far as it is concerned with civil aviation comes under the Civil Air Transport Committee of which I am Chairman. The arrangements are directed by Sir Stafford Cripps, and his authority is acknowledged by me.

3. I have seen a despatch in the *Times* newspaper today on the subject of reactions in Washington to my speech in the debate in the House of Lords last week. Text of the despatch follows immediately. Reactions seem to be founded on an entirely incorrect and misleading report. I have been all over both speeches in Hansard and can make absolute denials. The first speech was word perfect. The second was chiefly in answer to enquiries and interpolations on domestic issues and fortunately for me there was not a word wrong.

4. Thus I hasten to make a correction on the four points raised.

5. The *Times* reported, firstly, that I had asserted "that the United States is committed to grant the four freedoms of the air to the airlines of any other country". On the contrary I stated: "one of the proposals for the international conference is of course innocent passage. There are four freedoms, and innocent passage is one of the four freedoms. But I do not want to go into the four freedoms today. If I digress any further we may be here all night. I want to answer the question addressed to me. I say cabotage has nothing to do with innocent passage, cabotage has nothing to do with freedom of the air." I said further: "Flying over territory of another nation will necessarily involve the authority of such nation for such a flight."

"The right of innocent passage depends upon the decisions of an international conference."

6. *On cabotage* I stated: "Another question is whether cabotage extends to the Dominions. No, because the Dominions are self-governing. Cabotage in India is also the affair of India."

7. We know nothing here of any exhibition of British model transport aircraft in South America or soliciting of orders. Senator Brewster is quoted by the *Times* as having mentioned this subject.

8. On British transport aircraft I stated "I will not be optimistic about the preparation of civil aircraft during the war. I see no hope of civil aircraft until the crisis of our strategy in this war has been brought to a conclusion."

9. I am sure that I will have no difficulty in refuting any misleading reports which are spread as a result of garbled accounts of my speech. I am sending Hansard by bag.

10. Let me know if I can do anything or make any declaration for the purpose of refuting mis-statements.

With good wishes and renewed expressions of collaboration.

800.796/5-1844

The Assistant Secretary of State (Berle) to the Counselor of the British Embassy (Wright)

WASHINGTON, May 18, 1944.

MY DEAR MR. WRIGHT: Will you be good enough to send the attached to Lord Beaverbrook in answer to his telegram of May 16?

Sincerely yours,

ADOLF A. BERLE, JR.

[Enclosure]

Message To Be Sent to Lord Beaverbrook From the Assistant Secretary of State (Berle), Dated May 18, 1944

Many thanks for your telegram of May 16. While I have not yet seen the Hansard text of your speech, I am very clear that the press reports here gave a totally false impression of what you said, and that your statement to the House of Lords substantially agrees with my statement to the Senate Committee, making allowances, of course, for reasonable differences of emphasis. I expect to have the record in a few hours and am quite sure that when this is handed over to the Senate Committee the entire controversy will promptly dissolve. The animus behind it, of course, is that there are certain interests here to whom the phrase "freedom of the air" is anathema; and probably there are also some mischief makers who would be glad to provoke a quarrel between the Administration and the Senate, or between you and us, and both on general principles and particularly on the eve of the greatest cooperative military effort in history, I do not see any reason for giving any satisfaction to these people along those lines.

On the documents now before me there is not the slightest basis for any charge that anyone misled anyone else, or that the case was not fairly and fully stated.

The record on cabotage is perfectly clear: so far as Britain is concerned, cabotage was defined both by you and me to mean traffic between Britain and her Crown Colonies.

The other points mentioned in the press seem not to have any substance to them.

Best wishes. I will send you a copy of the statement to the Senate as soon as it is ready.

800.796/5-2244

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

Ref: 56/ /44

WASHINGTON, May 22, 1944.

DEAR MR. BERLE: I transmitted to Lord Beaverbrook the message which you sent me with your letter of May 18th.

I now enclose a message for you of May 21st from Lord Beaverbrook in reply.

Yours sincerely,

MICHAEL WRIGHT

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle), Dated May 21, 1944

Very many thanks for your message of May 18th, and for the welcome reassurance you give me.

You will have seen that in my speech in the House of Lords I defined cabotage as follows:

"Cabotage means the reservation to a nation of all traffic within its territory. The question at once arises: does reservation apply to traffic between the United States of America and Hawaii and the United States of America and Puerto Rico? Yes, it does. Does it apply to traffic between the United Kingdom and our Crown Colonies? Yes, it applies to traffic between the United Kingdom and our Crown Colonies. It is a right which we can clearly concede to other colonial powers. There is no intention in any direction so far as I can see to resist it. It is generally accepted."

There is thus complete identity of interpretation on this question as on other issues raised between us when you were here.

With all good wishes.

800.796/891

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

[WASHINGTON,] May 23, 1944.

The Egyptian Minister said that his Government had been following the London air conversations with great interest, and had presented a note saying that they hoped no decisions would be taken directly or indirectly affecting Egypt without giving Egypt a chance to be heard. I told him there was no such intention; these were merely preparatory to an air conference.

The Minister likewise said that he was not sure the same view would obtain in other quarters. He obviously referred to the British though he did not say so. He said that at a previous conference President Wilson had recognized the British protectorate even before hearing the Egyptian delegation.¹⁷ I told him I knew that, but that of course the situation was different now. The Minister said that he hoped that full weight would be given to the national voice of all the countries. I said that the only answer I could make to that was to call his attention to the phrasing in the Moscow Declaration¹⁸ which contemplated a world organization based on recognition of the juridical equality of all nations. Then the Minister said he hoped nothing had occurred to modify that part of the Declaration. I said I had not heard of anything.

A. A. B[ERLE], JR.

800.796/814

*The Secretary of State to the Chairman of the Senate Subcommittee
on Aviation (Clark) and the Chairman of the Senate Committee
on Commerce (Bailey)*

WASHINGTON, May 24, 1944.

MY DEAR SENATORS: With your letter of May 13, 1944, you attached a clipping from the *New York Times* for Thursday, May 11, purporting to report the substance of a speech by Lord Beaverbrook in the House of Lords on May 10, 1944. This referred to the conversations regarding civil aviation recently had in London by Assistant Secretary Adolf A. Berle, Jr., and by Dr. Edward Warner, Vice Chairman of the Civil Aeronautics Board, with Lord Beaverbrook. The Department has now received and encloses herewith the official text of the speech in question.¹⁹ You are right in understand-

¹⁷ For documentation regarding recognition of the British protectorate over Egypt, see *Foreign Relations*, 1919, vol. II, pp. 201 ff.

¹⁸ For text of the Declaration of Four Nations on General Security, November 1, 1943, see *ibid.*, 1943, vol. I, p. 755.

¹⁹ Not attached to file copy.

ing that a so-called "American plan" has not been determined, and certainly none which includes "the right of air transportation organizations of nations to set down passengers, mail and cargo and to pick them up anywhere in the world." Further, it appears that Lord Beaverbrook made no such assertion.

The account in the *New York Times* of May 11, enclosed with your letter, refers in its first paragraph to "the American-sponsored idea of a 'Four Freedoms of the Air'". This is plainly an error. The so-called "Four Freedoms of the Air" appeared in a draft convention proposed by Canada, not by the United States. This convention was first put forward by the British group; but the British group, on encountering opposition from the United States group, withdrew it. The Associated Press reporter apparently confused the Canadian-sponsored plan with the views of the United States.

Actually, in discussing the Canadian plan, the United States group made it clear that the handling of the principle of innocent passage (which does not include the right to discharge or pick up passengers, mail and cargo) must be at all times subject to full sovereignty and laws of the air of the nation over whose territory the plane might fly, and must also be contingent upon the working out of appropriate air-commerce agreements between the countries involved. While Lord Beaverbrook did not elaborate this, what he said was substantially consistent with it, and it was presumably to that which he referred in stating that "the right of innocent passage must depend on the decisions of an international conference."

As is not unnatural in extemporaneous debate, the representative of the British Government emphasized points of interest to him and to his Government, and did not attempt to cover all aspects of the matter in the limited time at his disposal. Though Lord Beaverbrook, at various points in his statement, used the word "agreement", it is sufficiently plain from the context that he used the word in the sense of concurrence in point of view. The conversations were exploratory, without commitment on either side, and merely looked forward to agreements which might later be consummated as a result of further negotiation and international conference.

In conclusion, let me say that I do not believe Lord Beaverbrook's statement, read in the context of the entire discussion, warranted the conclusions drawn from it by the press which gave concern to your Committees.

I thoroughly appreciate the courteous cooperation of your Committee with the Department, and am especially gratified at your statement that your conferences with Mr. Berle have been of a character tending to make for the best relations between your Committee and the Department of State.

Sincerely yours,

CORDELL HULL

800.796/851

The Secretary of State to the Egyptian Minister (Hassan)

WASHINGTON, May 24, 1944.

SIR: I have the honor to acknowledge the receipt of your note dated May 4, 1944 with respect to the desire of the Egyptian Government to participate in any international conference which may take place for the discussion of questions relating to civil aviation after the war.

In reply, I am pleased to inform you that no definite plans for an international conference on this subject have as yet been made but that when and if such a conference is convened the interest of the Egyptian Government will be given sympathetic consideration.

As you are aware, preliminary exploratory talks are now taking place between this Government and certain other governments pertaining to policies which may be found mutually acceptable with respect to post-war civil aviation. I wish to assure you that, should any matters affecting the interests of the Egyptian Government be dealt with in these discussions, this Government will inform the Egyptian Government with respect thereto and that nothing touching upon the rights and interests of the Egyptian Government will be decided upon without its concurrence.

Should this Government participate in any international aviation conference at which the rights and interests of the Egyptian Government might be affected, it would favor granting to the Egyptian Government the fullest opportunity to express its views.

Accept [etc.]

For the Secretary of State:

A. A. BERLE, JR.

800.796/888

The Belgian Ambassador (Straten) to the Assistant Secretary of State (Berle)

D. 8443/8

WASHINGTON, May 26, 1944.

No. 2583

DEAR MR. BERLE: With reference to our conversation of May 12 [10?] regarding the probability of commencing in the near future, exploratory talks between the United States and Belgium on the subject of post-war commercial aviation, I hasten to inform you that I have just received a cable from my Government emphasizing their major interest in the subject but expressing the desire that these talks be postponed until a later date; that is, until such time as my Government could send its delegates to Washington and when normal communications will be re-established between the Ministry for Foreign Affairs at London and the Belgian Embassy in Washington.

If, however, discussions of a general nature among representatives of various countries are envisaged, my Government would wish that Belgium be represented by an observer at such discussions.

I should appreciate your letting me know what consideration may be given to Mr. Spaak's²⁰ request.

Sincerely yours,

R. VAN DER STRATEN

800.796/5-2744

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

[WASHINGTON,] May 27, 1944.

Mr. Chang Kia-*Ngau*^{20a} came in to see me at his request, informally, to talk about some aviation points which were bothering him. He had with him the draft of a cable he proposed to send to Chungking. I inferred this was in answer to an inquiry from Chungking asking his recommendations as to the positions China should take in the current air conversations. The principal points he raised were these:

(1) Our plan envisaged making the right of freedom of transit subject to national sovereignty, and dependent on the conclusion of satisfactory arrangements for commercial outlet. China, said Chang, probably would not be asking commercial outlets to any great extent, and in one case, the Soviet Union, she feared she would not get them. Particularly in the Soviet case, if the Soviets asked freedom of transit it would embitter relations if China were to refuse them. Therefore, said Chang, he thought of recommending to his Government that they agree *pro forma* to the second condition, namely commercial outlet agreements, but stress heavily the fact that free transit was subject to sovereignty, and therefore to reasonable regulations. He then developed the reasonable regulation idea. He said he thought this might mean marking out security areas, and asked what I thought of that. I told him that it all depended on whether the regulations were reasonable. We did not mean by that blacking out great geographic areas. Further, we thought these regulations ought to be non-discriminatory, applying to everyone alike, including the nationals of the regulating country.

Then he said that he thought that the regulations ought to include the power to prescribe routes over which the planes could fly. In fact, he thought, even the right of innocent transit could exist only if there had been bilateral arrangements fixing the routes which planes would be allowed to fly. I told him I thought this smashed up the

²⁰ Paul-Henri Spaak, Minister for Foreign Affairs of the Belgian Government-in-Exile, at London.

^{20a} Chinese aviation representative.

whole principle. We had to think in terms of European countries; if there had to be bilateral agreements, even on the right of innocent passage, it would imply that any country could withhold permission, and then the principle had disappeared. I told him I thought in practice planes seeking innocent passage would not want to wander about, but would either proceed by direct line to their destinations or would follow some established commercial route.

Chang seemed to think that something might be done along that line. I told him I hoped we could adopt a generalized principle which did not mean that we were back to the pre-war task of negotiating route agreements with every country in the world irrespective of whether anyone wanted to land in those countries.

(2) He asked what our views were as to private planes, other than the general commercial airlines, who might wish to seek the right of innocent passage. I told him this was a specialized subject about which there was a lot of material, and that we would have an afternoon on that in the course of the discussions and that I thought that question might be left over for that time.

(3) He asked whether the routes we had proposed on the map presented at our first meeting were alternative or supplementary. I said that for the moment they were supplementary; none of us, of course, knew whether all of them would be practicable since some of them depended on the assent of other countries, nor did we know yet whether the traffic would justify all three routes. Mr. Pogue had observed that we would not necessarily wish to put them all into effect at once, but hoped to have the right to do so. He likewise asked whether we wanted a route to the capital of China—pointing out that it might not be economical to have a line running to Nanking as well as Shanghai. I said that I found it difficult to think of a situation in which direct communication with the Chinese capital would not be of great interest to us.

(4) He said that while it was not strictly a point of these conversations, he hoped to bring up the point of aid to the development of Chinese internal aviation. I told him we should be glad to consider sympathetically any suggestion he wished to make on that point.

A. A. B[ERLE], JR.

800.796/885a: Telegram

The Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, May 30, 1944—8 p. m.

746. The first meeting with the Chinese group to discuss post-war aviation matters took place on May 22. It was emphasized at the outset that in these bilateral talks, we aim at an informal and ex-

ploratory exchange of views which we hope will indicate what sort of international practices and commitments we might expect would eventually become possible. It was also indicated that it was our thought that through an informal exchange of ideas, a groundwork of agreement on matters of general principle might be created which can be further discussed and elaborated at a United Nations conference.

The first two items on the prepared agenda (see Department's no. 578 of March 31)²¹ were presented for discussion, namely the general principle of free transit with the right of technical stop and the general principle of the right of commercial entry. Our attitude on these two questions was further elaborated on as set forth in the summary of objectives supplied to the Embassy under cover of the Department's no. 598 of April 10 [18], 1944.²²

Following out the thought as set forth in the summary that specific arrangements with regard to commercial entry might be made by bilateral intergovernmental agreement, there was laid before the Chinese group the specific air routes between the United States and China which we would be glad to have considered, in the hope that these routes may eventually be opened on a mutually satisfactory basis, to American commercial lines. It was indicated at the same time that we would be glad to learn of any proposals which the Chinese group may desire to put forward.

Mr. Chang Kia-NGau received the proposals on behalf of the Chinese group and stated that they would be referred to Chungking for the views of his government, which he hoped would be forthcoming shortly. It is then expected that another meeting will be held.

Additional supplementary material being transmitted by air mail.²³

HULL

800.796/879 : Telegram

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

LONDON, May 31, 1944—10 p. m.

[Received 11:33 p. m.]

4371. Hildred says that his proposed trip to the United States to discuss technical matters mentioned in Embassy's telegram No. 3573, May 1, 10 p. m., although approved by the Air Minister, has been held up by Beaverbrook who does not wish to let the technical phases of aviation discussions pass completely out of his hands. Hildred has

²¹ Instruction 578 not printed.

²² Instruction 598 not printed.

²³ Instruction 681, June 6, not printed.

written a long letter to Warner²⁴ outlining the subjects he wishes to discuss or have discussed in Washington and believes that if Warner replies favorably, expressing the hope that Hildred can come to Washington, approval will be secured for his trip. We feel that the comments contained in our 3573 of May 1 still hold good.

This message is most secret.

WINANT

800.796/888

The Assistant Secretary of State (Berle) to the Belgian Ambassador (Straten)

WASHINGTON, June 3, 1944.

MY DEAR MR. AMBASSADOR: This will refer to your letter of May 26, 1944 (D.8443/8 No. 2583) stating that your Government has a major interest in the proposed exploratory talks between our two countries on the subject of post-war commercial aviation, but desires that they be postponed until a later date.

Up to the present this Government has held exploratory discussions on post-war commercial aviation with a few countries only. It hopes to discuss the matter with additional countries, including Belgium, but no fixed schedule has been established. Consequently, the postponement of these talks between our two Governments until a later date would be quite satisfactory.

Should it develop that a general conference among representatives of the various countries will take place in the meantime, I shall be pleased to inform you in advance so that you may discuss the matter further with your Government.

Sincerely yours,

A. A. BERLE, JR.

800.796/897

*The Australian Prime Minister (Curtin) to the Secretary of State*²⁵

WASHINGTON, 5 June, 1944.

DEAR MR. CORDELL HULL: I refer to Mr. Winant's letter to me of 4th May,²⁶ in which he enquired whether I would be disposed to hold exploratory talks on postwar international aviation in Washington on my return from London.

Under date 13th May I sent an interim reply.²⁷ I now desire to confirm that it would not be practicable for me to arrange for Australia to be represented at the suggested talks at the present time.

²⁴ Not printed.

²⁵ Written at the Australian Legation.

²⁶ See telegram 3548, May 3, 11 p. m., to London, p. 464.

²⁷ See telegram 3934, May 15, from London, p. 476.

I shall however examine the matter immediately on my arrival in Australia and will advise you further as soon as I am able.

Yours faithfully,

JOHN CURTIN

800.796/804

*Memorandum of Conversation, by the Director of the Office of
Far Eastern Affairs (Grew)*

[WASHINGTON,] June 6, 1944.

The Chinese Minister, Mr. Liu Chieh, called on me this morning to say that Mr. Chang Kia-NGau, head of the Chinese aviation group, had now returned to Washington, but the group was still not ready to continue the conversations since replies had not yet been received from Chungking in response to inquiries cabled by Mr. Chang both before and after his recent talk with Mr. Berle. The Minister said he assumed that there was no great urgency in proceeding with the conversations, but I replied that we desired to get along with them as rapidly as possible and hoped that there would not be too long a delay before our next meeting.

The Minister then inquired whether we had reached an agreement with the Russians, to which I replied that up to the present our talks had been of a purely exploratory nature in an effort to clarify the various points on our agenda. I said that we expected to meet with the Russians again this week and that, of course, we would be glad eventually to inform the Chinese group of the results of our talks.

JOSEPH C. GREW

800.796/6-1044

*Memorandum by the Chief of the Aviation Division (Morgan) to the
Assistant Secretary of State (Berle)*

[WASHINGTON,] June 10, 1944.

MR. BERLE: Mr. H. Trevelyan, First Secretary of the Agency for India, telephoned to say he understood that the Department desired to have exploratory talks with the Indian Government on the subject of post-war civil aviation, and if this was the case they would like to know as soon as possible what date the Department would like to set for the opening of these talks as some time would be required to permit the members of their group to reach Washington. He suggested that a date some two months hence would be satisfactory to them, but asked if he could be definitely informed as soon as possible.

I told Mr. Trevelyan that I would transmit this message to you and get in touch with him in due course.²⁸

S. W. MORGAN

800.796/6-1044

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

[WASHINGTON,] June 10, 1944.

Participants: The President
Senator Bennett Champ Clark
Mr. L. Welch Pogue, Chairman, Civil Aeronautics
Board
Mr. A. A. Berle, Jr.

The President asked Senator Clark, Mr. Pogue, and myself to meet him at the White House at 12:30 on June 9, which we did. After some general conversation largely relating to political conditions, the President raised the question of aviation policy. He said that, while he had to go on the theory that the war would go on for some time, there was always the possibility that Germany might collapse, though there were no present signs of that. In such case, we should need to have our aviation policy not only fixed but in such shape that we could move out at once. The Senate Committee had been working on it now for some time, and the President wanted to know what the prospects were of getting an agreement.

Senator Clark said that the Subcommittee was pretty well divided. They had been held up in their work largely because Senator McCarran had wished to be present but had had to go to Nevada to take care of various matters; had stayed in Nevada a month; had then not attended the Committee hearings when he got back. Meanwhile, he had thrown in his own bill, in advance of any determination by the Senate Committee. Senator Clark said that the first question they had to solve was whether we would proceed on a chosen instrument monopoly theory, or whether we would have the more traditional form of regulated competition. The active members of the Committee, he thought, were favorable to the chosen instrument theory, though Brewster only had committed himself. The other members, Mead, Caraway, and Burton, had not indicated a position. Bailey, he thought, favored the chosen instrument, though Bailey had been very judicial throughout. Senator Clark said that he himself wanted to follow whatever policy the President decided. Generally speaking, he did not favor the chosen instrument.

²⁸ In telephone conversations with Mr. Trevelyan on June 12, the tentative date of August 1 was suggested.

The President said that he himself had rather felt that the best policy was to have chosen instruments in particular fields; while he knew that Trippe was not favorable to this, he did not think that anyone other than Trippe could possibly be successful in running a world-wide system. For that and other reasons, the President favored different lines assigned to different routes and zones. Senator Clark seemed generally to agree.

Senator Clark likewise brought up the question as to whether steamship lines should have the right to own aviation lines. He personally did not like the idea. The President did not take a clear line on this point. Senator Clark reviewed the arguments pro and con on both the chosen instrument and the railroad and steamship ownership points.

The President said that unhappily he might be in the position of not being able to let the matter rock along but would have to move out—depending on military considerations. I said that this was not merely a question of the collapse of Germany. Areas were opening up now—for instance, Africa—in which other countries were moving out, and where we would have to do the same.

Senator Clark indicated pretty clearly that he did not think there would be any really clear-cut statement of view for some time, since he thought the various interests involved would make a controversy whichever way it was settled. I asked whether it could be understood that if we did have to move by reason of circumstances, this would not be regarded as an infringement on the prerogatives of the Senate. Senator Clark said that he thought obviously we would have to protect the interests of the country in the meantime.

From the discussion the following facts became clear:

(1) Senator Clark personally will follow the President's line; he does not know whether he can carry the Subcommittee, though he will have a substantial group in it.

(2) He recognizes the necessity of getting into action during the summer; believes that Brewster and the Pan American interests will raise a row in any event unless they get what they want.

The President said that he had discussed this matter a little with Stalin at Tehran in the general sense that Soviet planes desiring to fly over American territory ought to have the right to land and refuel, though not to take on and discharge passengers or cargo; we would want equivalent rights in the Soviet Union. Stalin thought something could be worked out.²⁹

In respect of Hawaii, the President said that the right to land and refuel ought not to be had at Honolulu. There were plenty of other

²⁹ There appears to be no direct reference to such a discussion in the available records of the Tehran Conference. See *Foreign Relations, The Conferences at Cairo and Tehran, 1943*, p. 880.

points, especially on the Island of Hawaii itself, which could be made available for these landings. He noted that General Arnold thought there should be at least three lines across the Pacific Ocean for safety reasons.

A. A. B[ERLE], JR.

800.796/6-1044

Memorandum of Conversation, by the Director of the Office of Far Eastern Affairs (Grew)

[WASHINGTON,] June 10, 1944.

Mr. Chang called this morning at his request and said that he had reported to Chungking the points brought up in our talks on post-war civil aviation, but that there had been a certain delay in receiving replies owing to the necessity of consulting several different departments of his Government. Now, however, replies to some of these points had been received and he found them in general of a favorable nature.

His Government takes the position that it must first build up its domestic aviation before profiting by reciprocity in international aviation and for that purpose China would welcome American assistance in the way of planes and equipment. He said that he had mentioned this in his recent talk with Mr. Berle, and that Mr. Berle had said that it would be proper for him to set forth in our group meeting this desire of his Government.

I said that I fully understood the desire of China to build up its domestic aviation before moving into the foreign field, but I assumed that even though China did not yet feel in a position to profit through reciprocity in international aviation, nevertheless, in view of the great advantages which would accrue to China through admitting foreign carriers, his Government would view with favor the proposals we had made for the establishment of airlines from the United States to his country. Mr. Chang replied that political as well as transportation problems were here involved and that while China would be glad to admit American carriers, his Government would feel differently about admitting the carriers of certain other countries.

Mr. Chang then said that the Soviet Ambassador had told him that we had already held three meetings with the Soviet aviation group and he asked me if I could tell him what progress had been made in our discussions. I replied that our initial talks had been chiefly concerned with clarifying the various points on our agenda, and that while the Russian group had indicated a generally favorable attitude towards some of these points no concrete agreements had yet been reached because, of course, the Russian group had found it necessary to consult the Government in Moscow.

Mr. Chang said that he was leaving for New York tomorrow to be absent most of next week, but that he would be glad to have a further meeting of our respective groups at any time during the following week, in order to tell us of his replies from Chungking. I said that I would consult my associates and would let him know in due course on what date a meeting could be arranged.

JOSEPH C. GREW

811.79600/99 : Circular telegram

*The Secretary of State to Certain Diplomatic Representatives*³⁰

WASHINGTON, June 12, 1944.

The Civil Aeronautics Board is releasing a press statement for morning papers of June 14³¹ giving a tentative list of proposed international air routes which the CAB believes may be desirable for post-war operation by United States air carriers. The Department is transmitting a copy of this press statement to each of the appropriate foreign missions in Washington,³² emphasizing that the proposed routes are of course subject to concurrence of and necessary arrangements with the foreign governments concerned.

A copy of the CAB statement is being forwarded to you by air mail.³³

HULL

800.796/6-1744

*Memorandum by the Chief of the Aviation Division (Morgan) to the Assistant Secretary of State (Berle)*³⁴

[WASHINGTON,] June 17, 1944.

MR. BERLE: While our British friends might not soon learn that we have submitted a draft commercial air transport agreement to the Russians, they might learn of it and feel somewhat aggrieved or at least suspect that we were trying to steal a march on them.

Since mutual frankness is supposed to be the rule as between the various participants in these bilateral talks, I would suggest that we immediately inform the British of our action and submit to them a similar draft with a statement that we would be very glad to enter into the same agreement with the British.

³⁰ Sent to all diplomatic missions except those in Argentina and Bolivia.

³¹ For text, see *The United Nations Review*, vol. iv, 1944, No. 5, p. 212.

³² Notes to the missions, dated June 14, and to the French delegate, dated June 15, not printed.

³³ Circular instruction dated June 14, not printed.

³⁴ Marginal notation: "Agree: Please draft an *aide-mémoire* to be handed to British. A. A. B[erle]"

Now that publicity has been given to the proposed international routes and commercial ports of entry, we can fill out our annexes just as we did in the case of the Russians. It should, of course, be emphasized to the British that this is strictly a commercial air transport agreement and that the many problems relating to air navigation, which includes most of the items discussed at the bilateral conferences in London are being reserved for the multilateral agreement which we hope will be worked out at the proposed international conference.

It seems to me that at the present time we have the initiative with respect to these questions of post-war aviation policy and that we should try to keep it. In respect to the practical problems of the immediate future, we do not have the initiative.

S. W. MORGAN

800.796/919 : Telegram

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

Moscow, June 20, 1944—3 p. m.

[Received 9:43 p. m.]

2195. The British Ambassador has furnished me a copy of his note to the Foreign Office of June 15 transmitting a "draft outline of an international convention and international authority for its administration." This document relates international cooperation in air transport and the note states that it was agreed during Lord Beaverbrook's discussions with Dr. Berle that it represented the principles which the Governments of the United Kingdom and the United States consider would constitute a suitable basis for discussion at an international conference on civil aviation. The note concludes by stating that the British Government would welcome any comments which the Soviet Government may wish to offer in this paper.

HARRIMAN

800.796/6-2044

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

[WASHINGTON,] June 20, 1944.

Dr. Chang came in to see me at his request. Anticipating the next session of the Chinese air conversations, he said that he had exchanged

cables with Chungking. The Chinese Government was prepared to grant the aviation routes and landing rights we were asking in China. But since they were not prepared to ask reciprocal rights in the United States—not planning Chinese international aviation lines—the Generalissimo had asked instead American assistance in helping China build up her international [*internal?*] aviation system. On questioning, he told us their ideas of assistance. The Generalissimo wanted 300 DC-3's and 200 DC-4 planes, to be delivered over a period of three years; and also wanted assistance in training Chinese technicians and operating personnel. I pointed out that the entire American internal aviation system before the war had required only about 340 planes. Dr. Chang said he understood that but thought there would be more use for planes after the war. He said that he was giving these figures to me personally since he did not wish to make them a matter of official representation. I gathered that he knew, just as well as I did, that they were fantastic in size.

I then said that I hoped that an attempt would not be made to tie together assistance to Chinese aviation lines as a *quid pro quo* for routes and landing rights. Clearly, we did not wish to be in the position of buying landing rights and routes all over the world. We thought of transportation as itself a world service.

I said that we were, of course, sympathetic to the idea of Chinese transport development, as he knew very well, and I would consult with my colleagues with a view to finding out the extent to which we could be of use.

Mr. Chang said that, to make things concrete, he had thought that we might turn over to China the surplus transport planes which might be in China at the close of the war—reconditioning them for Chinese use. He thought of this as a lend-lease transaction. The other planes might be turned over on a long-term credit basis. I said all this would have to await further examination. Meantime, I thought we should need the technical information as to the precise Chinese plans for developing their aviation before we could deal with the subject intelligently.

Dr. Chang pressed for an agreement in principle to the subject of assistance. I said that, in principle, of course, we wanted to assist, but that before anything could be said we had to find out exactly what the conditions and implications were. On the other hand, as he knew, this Government was endeavoring to be of all possible help to China in the reconstruction of its economy.

A. A. B[ERLE], JR.

800.796/921a

*The Department of State to the Netherlands Embassy*³⁵

AIDE-MÉMOIRE

The Netherlands Embassy is informed that the United States Government has held exploratory conversations recently with the British and Canadian Governments for the purpose of exchanging views on post-war aviation, with particular reference to the development of international air transportation. Similar discussions are now being held in Washington with representatives of the Soviet and Chinese Governments.

It is understood that the Netherlands Government also would be interested in holding bilateral conversations on post-war aviation with the United States Government, which would be entirely agreeable with this Government. There is enclosed herewith a proposed agenda³⁶ which, together with the memorandum furnished by the Netherlands Embassy under date of November 30, 1943,³⁷ would appear to offer suitable bases for these discussions.

It is probable that invitations for bilateral conversations will likewise be extended to a few other governments, with the thought that a United Nations conference on this subject might be held later in the year.

The United States Government understands that the Netherlands Government will be ready to begin bilateral exploratory conversations in Washington at an early date, possibly July 1st. This would be satisfactory with this Government, and a confirmation of these arrangements would be appreciated.

WASHINGTON, June 20, 1944.

³⁵ Similar invitations were sent to the Indian Agency General, June 21; the Legation of the Union of South Africa, June 22; the Brazilian Embassy, June 24; the New Zealand Legation, June 24; and the Mexican Embassy, August 22. In the invitation to the Indian Agency General, the date of August 1 was suggested for the beginning date of the conversations; in the other invitations, no definite date was suggested.

³⁶ *Ante*, p. 378.

³⁷ *Ante*, p. 363.

800.796/926b : Telegram

The Secretary of State to the Ambassador in Australia (Johnson)

WASHINGTON, June 21, 1944—7 p. m.

76. A letter dated June 5 written by Prime Minister Curtin while in Washington referred to our invitation for bilateral aviation discussions. You were advised of this in the Department's telegram 61, May 10, 10 p. m.³⁸ Mr. Curtin's letter refers to his interim reply of May 13 and confirms that arrangements for Australia to participate in talks at the present time would not be practicable. However, he promised to look into the matter immediately on his return to Australia and to advise further.

On a suitable occasion please endeavor to ascertain if Australia will be able to enter into such conversations with us in Washington and the approximate date.

HULL

847.796/6-2244

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

[WASHINGTON,] June 22, 1944.

The Australian Minister came in to introduce Mr. McVey, the present head of Australian aviation production, and who has recently been entrusted with the aviation affairs of the Australian Government. Mr. McVey was interested in knowing our general ideas about the aviation picture. I referred to the fact that there was extended an invitation to have conversations with the Australian Government. The Australian Minister said he did not think there was a great deal to discuss at the present moment and then he and Mr. McVey asked a good many questions about the possibility of an international organization. I gave them the familiar arguments against it, and our tentative point of view, namely that international organization was possible in respect of technical matters such as safety standards, navigation aids, etc.; but that it could only be a fact-finding and advisory body in respect of economic matters, since this Government, and I judged a number of others, would insist on complete maintenance of their sovereign rights.

The Minister gave the familiar arguments in favor of the Australian thesis, that international control was essential if aviation industries were not to become tremendously nationalistic and extremely dangerous. I told him I thought that was more in the security field than in the direct aviation field.

A. A. B[ERLE], JR.

³⁸ Not printed.

800.796/919 : Telegram

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

WASHINGTON, June 22, 1944—9 p. m.

1533. Your 2195, June 20, 3:00 p. m. The document referred to as forming a suitable basis for discussion at an international conference was prepared at the Dominions Conference in London last September and was produced by Lord Beaverbrook during his talks with Mr. Berle³⁹ after the latter had rejected the Canadian draft convention as a basis for discussion. The document referred to in your telegram was accepted by us only as a basis for discussion. It is far from acceptable itself in its present form and does not set forth principles and practices on which there was agreement between the British and American spokesmen at the exploratory talks. Specific reservations were made on many points, notably the power of the international body.

To prevent any possible misunderstanding and confusion due to marked differences between this document and our statements of policy set forth at our talks with the Russians here, we think the above should be made abundantly clear to the Foreign Office.

HULL

800.796/925

The Agent General for India (Trevelyan) to the Secretary of State

F. 118/44

The Agent General for India presents his compliments to the Secretary of State and has the honour to refer to his *Aide-Mémoire* dated June 21, 1944⁴⁰ on the subject of exploratory discussions on post-war civil aviation with representatives of the Government of India. The invitation of the United States Government was communicated to the Government of India who have informed the Agent General of their acceptance of it. Although August 1 is not inconvenient, they would prefer that the talks should begin on August 15, if this date is equally convenient to the United States Government. The Agent General understands that August 15th is suitable to the United States Government and has informed the Government of India accordingly.

WASHINGTON, June 23, 1944.

³⁹ See Annex B, p. 457.

⁴⁰ See footnote 35, p. 494.

800.796/6-2044

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] June 24, 1944.

Participants: Mr. Chang Kia-NGau
Mr. Felton Chow
Mr. Morgan, AD

Minister Chang called at his request, accompanied by Mr. Felton Chow, and brought with him the draft of the bilateral agreement and asked for clarification of one or two points, particularly with relation to freedom of transit. I think I explained this matter to his satisfaction.

Minister Chang then said that with respect to procedure he thought his Government would have to suggest a few modifications. I assume that these will be in relation to restriction of freedom of transit, which seems to be giving them considerable concern.

He asked me if we expected these bilateral agreements to be identical with all countries. I told him that while we would like to see that I did not think we could anticipate it with any confidence. We had actually drawn up the agreement in the way in which we would like to see it concluded, but we realized that probably all the nations would have some suggestions for modifications and we would not stand rigidly on our text. We hoped, however, that all would adopt the general practices. This was, of course, not intended to be a multi-lateral treaty which must have the same text for all, and it would ultimately work out as a series of bilateral agreements of which perhaps no two would be exactly the same.

Minister Chang then went on to say that he would have some suggestions to make and, if we approved, he would like to submit them first here for discussion before transmitting the document with comments to his own Government. He thought that any differences which we could iron out here would expedite matters. I told him I agreed with this and suggested that he submit his comments and specific suggestions for changes in the draft to me as soon as they were ready and that I would transmit them to the other members of the consulting group for their study, and that we could then have another conference of the two full groups to discuss the question of a redraft. He said he would follow this procedure.

In conclusion, Minister Chang said that the British and Canadians were asking him about our talks and asked what I thought he could say. I told him that I thought he was at liberty to tell them anything about the talks that he wanted to, that we were not trying to keep anything secret from our other friends.

S. W. MORGAN

800.796/6-2444

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] June 24, 1944.

Participants: Mr. Gore-Booth, British Embassy
Mr. McLean, British Embassy
Mr. Morgan, AD

Mr. Gore-Booth called at his request and left a message for Mr. Berle from Lord Beaverbrook,⁴¹ which I immediately sent on to A-B.⁴² He also brought in Mr. McLean, recently arrived at the British Embassy, to introduce him.

We fell into a general discussion of the aviation situation, and Mr. Gore-Booth, referring to the recent press release of the Civil Aeronautics Board, asked whether we proposed in the near future to commence negotiations looking to the obtaining of landing rights necessary to carry out that program. I told him I thought we should do so and would probably be approaching his Government some time soon on the subject. He asked whether I did not think that these questions would have to wait until a multilateral convention had been agreed upon and an international body established. I told him we felt that bilateral agreements concerning air transport could and properly should be concluded before the general international agreement on air navigation.

He then asked how rights could be granted without knowing what the authority of the international body was to be. I told him this seemed to be very simple, that in the United States for example we had set up an elaborate network of air services under various laws and authorities between 1930 and 1938 and when in 1938 the Civil Aeronautics Act had been enacted and the CAB created, these airlines naturally came under the provisions of that law and the authority of that body.

International post-war air transport could and in fact must be put into operation as soon as possible, and whenever a multilateral convention went into effect and an international body was set up, international aviation would be governed by whatever the provisions and authorities might be that were set up by the convention. I pointed out that with the best will in the world on all sides it would be impossible to hold an international conference, draw up a multilateral agreement, have it ratified by a substantial number of nations, and create the international authority and get it working, for a comparatively long period of time. It hardly seemed reasonable to hold up all commercial aviation during that period.

⁴¹ See *infra*.

⁴² i.e., Assistant Secretary of State Berle.

Mr. Gore-Booth said he agreed in principle but reminded me that his Government had definitely expressed itself as favoring the operation of international air carriers only under license by an international authority. I said, of course, that was a point on which this Government did not agree and was subject to further discussion. I felt sure some agreement would finally be reached, and in the meantime it seemed desirable to proceed on the basis of the existing situation.

Mr. Gore-Booth said that this was simply perpetuating after the war a system which existed before the war. I said I thought the situation would be considerably improved after the war through a greater understanding on all sides of aviation problems, and it did not seem to me that just because a system was in effect before the war it was necessarily inappropriate for use after the war.

Mr. Gore-Booth then said that in his personal opinion, and he emphasized that he had no indication from his Government, he thought that a request for route permits and landing rights from us touching British territory would be answered to the effect that these rights could only be granted on a temporary basis until such time as an international authority was set up, when the whole question would have to be reconsidered in the light of what authority the international body might have. I pointed out to him that this would be very unfair to the carriers, that any company inaugurating commercial services over long distances would have to make a very heavy capital investment, create an extensive organization, and spend a great deal of money on publicity for trade promotion. It was hardly reasonable to expect them to do this if they could not be assured of having rights to continue this operation more than a short period of perhaps a year or two.

Mr. Gore-Booth admitted that this would be very unfair to the companies concerned. He thought the best solution would be to delay matters until real assurances could be given them of a reasonably long tenure of their rights.

S. W. MORGAN

800.796/6-2444

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, June 24, 1944.

DEAR MR. BERLE: I enclose herewith the text of a message which we have been asked to convey to you from Lord Beaverbrook.

Yours sincerely,

MICHAEL WRIGHT

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle)

I apologize for troubling you with our domestic concerns. But I am going to be asked very soon what we intend to do about talking to the Russians on the subject of civil aviation.

Would you have any objection if in reply I said that it might be some weeks before we can begin conversations with the Russians owing to the fact that they are at present engaged in talks in Washington?

I thought of adding that these Washington conversations may well go on for a month or even longer because the Russians are taking the opportunity to study United States air line system.

Would a reply broadly on these lines be agreeable to you? How are your talks going on?

Have you gleaned any impression of general approach of the Russians to problem of civil aviation? I am very anxious to know how their minds are working on these questions.

We are keeping civil aviation well in hand here and it is clear to me that you are doing the same with still greater success in Washington. This is a matter of most immense satisfaction to me. For with such conditions prevailing my confidence in successful outcome of an international conference is complete. All good personal regards.

800.796/6-2544

The New Zealand Legation to the Department of State

AIDE-MÉMOIRE

The New Zealand Legation is in receipt of *Aide-Mémoire* from the Department of State dated June 24, 1944,⁴³ in reference to the development of international air transportation.

The Prime Minister of New Zealand will be in Washington from July 4 to July 9, inclusive, and will be pleased to begin exploratory conversations in Washington and to meet representatives of the United States Government at a mutually convenient time between the dates mentioned.

[WASHINGTON,] June 25, 1944.

⁴³ See footnote 35, p. 494.

800.796/6-2444

*The Assistant Secretary of State (Berle) to the Counselor of the
British Embassy (Wright)*

WASHINGTON, June 29, 1944.

MY DEAR MR. WRIGHT: I should appreciate it if you would be kind enough to transmit the enclosed to Lord Beaverbrook in answer to the message from him which you were good enough to transmit with your letter of June 24, 1944:

Glad to have your message and to know that aviation matters are going well for you in London.

The situation regarding conversations with the Soviet representatives is this:

The Soviet representatives are proceeding in a leisurely manner, taking time out between discussions to go over American airfields and American technical processes of control, licensing, signaling, and so forth. They are really combining the technical with the general conversations. My present guess is that in another two or three weeks these conversations should be concluded though I cannot guarantee this because the Russian group is controlled by instructions from Moscow. The Soviet group say they expect to be finished here by the latter part of July. They tell me they have no instructions as yet to proceed to London. Your proposed answer appears to be entirely in line with the facts.

Thus far, the Soviet representatives have said very little as to the attitude of their Government. I gather that they are, in principle, agreeable to the setting up of a world organization which shall have considerable competence in the technical fields covered in our conversations in London.

The Soviet Government appears, however, to be very clear in its determination not to yield what they consider sovereign powers, though our present impression is that they would accept a world organization with reporting and advisory functions in respect to economic and commercial matters. Though their representatives said very little here, an article appeared a week ago in *War and the Working Class* which the Foreign Office can undoubtedly give you, and which undoubtedly was stimulated by the conversations here. When you have that in front of you, you have all that is at present divulged about the attitude of the Soviet Government.

It is clear that the Soviets do expect to fly internationally; and that they want to have their ideas taken into consideration in connection with general air settlements. I think they intend to admit a limited number of foreign air lines into Soviet territory, granting use of their airfields for that purpose. They are wrestling with the subject of subsidized air lines, as is natural, since subsidy presents itself to Britain and the United States largely in connection with commercial operations, whereas to the Soviet state-owned operations this problem is entirely absent. The delegation in Washington has shown a very real and sympathetic desire to understand our point of view which as you know is in general agreement with the British point of view on the subject. They would likewise be interested in knowing whether there were disagreements between the British and United

States Governments; and we have told them that the British point of view favored a far stronger world organization, with far wider authority than we would be prepared to accept. We have said that in other matters such as the definition of cabotage, the maintenance of equilibrium between available transportation and the traffic desiring to use it, and in the general desire to have freer passage rights than existed previously, we were generally in accord.

In accordance with our understanding that the result of conversations shall be available to all hands, I will keep you advised as matters develop, and the Soviet group understands this.

My personal impression is that before very long, probably in the latter part of July, conversations with the Soviets and others will reach a point at which it will be useful for British and American representatives to review the whole situation and consider the next steps to be taken.

Sincerely yours,

ADOLF A. BERLE, JR.

800.796/7-544 : Telegram

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

Moscow, July 5, 1944—10 a. m.

[Received 1:42 p. m.]

2422. Department's 1533, June 22, 9 p. m. At my request the British Embassy is sending to the Soviet Foreign Office a further note in which our views on the "draft outline of an international convention and international authority for its administration" are clearly set forth. In fact, substantially the same language as given in the Department's telegram under reference is used.

HARRIMAN

800.796/7-1344

Minutes of an Exploratory Conversation Between Officials of the New Zealand and United States Governments on July 5, 1944

PRESENT

American Group

New Zealand Group

Mr. Joseph C. Grew, Chairman

Mr. Peter Fraser⁴⁷

Mr. Adolf A. Berle, Jr.

Mr. C. A. Berendsen⁴⁸

Mr. Josh Lee⁴⁴

Mr. A. D. McIntosh⁴⁹

Mr. William A. M. Burden

Mr. Stokeley W. Morgan

Mr. John D. Hickerson⁴⁵

Mr. Robert B. Stewart⁴⁶

⁴⁴ Member of the Civil Aeronautics Board.

⁴⁵ Chief, Division of British Commonwealth Affairs.

⁴⁶ Member of the Division of British Commonwealth Affairs.

⁴⁷ New Zealand Prime Minister.

⁴⁸ New Zealand Minister in the United States.

⁴⁹ New Zealand Secretary of External Affairs.

Mr. Grew made some introductory remarks and presented copies of the agenda, Summary of Objectives, and draft bilateral convention to the Prime Minister.

Mr. Fraser said that he had discussed aviation matters in London with Lord Beaverbrook and others and had been informed of the talks which Mr. Berle had had in England and was aware of the position taken by the United States. He felt a keen disappointment at the way things were going for it seemed to him that the more we talked the vaguer the situation became.

New Zealand, of course, stands on the Canberra Agreement with Australia ⁵⁰ in favor of internationally owned airlines operating under license from an international body. They realize that this is not acceptable to all nations, and they are prepared to make concessions. The Canberra Agreement as it stands is not even wholly acceptable to Canada and the United Kingdom. However, for the present, that is the New Zealand position.

Mr. Fraser felt that the sort of international body which the United States seemed to want would have little or no authority and, in fact, very little to do. He favored an international body with real powers subject to an international organization which would be in a position to make a real contribution to the peace and stability of the postwar world. Failure to set up such an organization would mean the loss of a great opportunity, and if no change were made in the method of handling international aviation matters we would in a certain sense have fought the war in vain.

Mr. Grew said that the United States visualizes an international organization which will have a great deal to do, especially with regard to technical matters.

Mr. Fraser said that New Zealand was in favor of all the minimum powers which the United States was willing to see the international body assume, but it wanted more powers accorded to the international body. He said that he had received the impression in England from the reports he heard of the talks between Mr. Berle and Lord Beaverbrook that the United States felt that the smaller nations did not count, that they should give way to the wishes of the bigger nations.

In reply Mr. Berle said that such is not our attitude at all. We have not ignored the small nations in these discussions. We have urged that they be heard. However, to the United States, aviation is a primary factor in national security. Accordingly, the fate of our aviation is of first concern. A large part of the American public sees in international aviation not the idealism of Mr. Fraser but a desire by a number of other nations to divide up the American traffic. This the American public would not agree to. It will not permit us to get

⁵⁰ Agreement between Australia and New Zealand, signed at Canberra, January 21, 1944, *The United Nations Review*, vol. iv, 1944, No. 2, p. 52.

into the same situation we were in before the war with respect to shipping.

We have no reason to believe that the Soviets will move in any great degree in the direction envisaged in the Canberra statement.

We believe that institutions grow slowly; it would put an intolerable strain on an international organization to ask it to function without real power, prestige and background and without the trust and confidence of the great powers. That leads only to futility, as in the case of the League of Nations.

Mr. Fraser said that of course the international body must have power to enforce its decisions. Should we not endeavor to get what we really want—not aim at a minimum.

Mr. Lee said that while the Prime Minister's position was admirable as an idealistic approach, we must take a realistic attitude. There is no use in aiming for something that will not get public support. We should start slowly and then progress as confidence in the international body grows.

Mr. Fraser said that agreement on technical matters could have been arrived at at any time. To accomplish this is no real progress.

Mr. Lee said that final international acceptance of technical standards would be a great gain.

Allowing for the good reasons for the United States position, Mr. Fraser said that New Zealand hopes that more can be accomplished to bring it closer in line with the views of the British Commonwealth. Under the United States plan the problem of the Pacific area can probably be settled without difficulty, but a great opportunity to settle these problems in the rest of the world will have been missed.

Mr. Berle drew a parallel with the Pan American Union, which started in 1890 and has grown steadily until it is now a sound, strong bond between the nations and made a very effective contribution to the war effort. We are inclined to follow that same procedure.

Mr. Fraser thought that time did not allow of that method being applied to a new international body to deal with world security.

Mr. Fraser asked what the United States is afraid of in a new international body, how would it prejudice our interests?

Mr. Berle answered that the power of a licensing body could be activated in anybody's interest. It could also reject plans or approve plans of other nations. We feel it should only act as a sort of fire alarm to call attention to dangerous situations; the countries concerned should then correct the situation.

Mr. Fraser asked what if they did not?

Mr. Berle said that would be unfortunate, but the same situation would exist if the body had powers and the nations did not acquiesce

in the exercise of those powers. Such questions could be referred to a World Court if one were created.

Mr. Fraser said the Canadian scheme could only be implemented if the international body were a part of a world organization with effective powers to exert its authority.

Mr. Lee emphasized that agreement on a number of technical fields, with implementation, would be a very decided step forward and would help to set up machinery which would assist in working out satisfactory settlements between the nations.

Mr. Fraser said that New Zealand would agree to anything no matter how small if it were a step in the right direction. New Zealand is interested in an Australia-New Zealand airline to Canada and the United Kingdom, and in a line from New Zealand to Panama, and is ready to enter into bilateral arrangements at any time.

Mr. Grew said that we were much gratified to hear that New Zealand will go along as far as we do.

Mr. Berle asked whether New Zealand contemplated a separate airline or one in conjunction with other Dominions. Mr. Fraser said personally he favored operating in conjunction. He could not speak for all of his colleagues.

Also Mr. Berle asked whether New Zealand would like to enter into technical discussions with ourselves and others. It was decided that New Zealand would not but that Mr. Morgan would send to Mr. Berendsen the technical document⁵¹ which had been submitted to other groups.

800.796/7-644 : Telegram

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

LONDON, July 6, 1944—8 p. m.
[Received July 6—5:30 p. m.]

5334. Subject: Aviation. Van Hasselt^{51a} called to see Hildred before he left for Washington. Hildred said that Van Hasselt wished to have the right of commercial entry determined by an international conference or authority. Hildred stated that in his opinion the right of commercial entry would have to depend on bilateral agreements between each pair of countries concerned. As the Department is aware, Hildred's view is by no means unanimously held in England, nevertheless, this statement may have had some effect on Van Hasselt.

WINANT

⁵¹ Presumably one of several technical documents in files not printed.

^{51a} F. H. Copes van Hasselt, Legal Adviser in aviation matters of the Netherlands Department of Public Works and Transport.

800.796/7-744

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

[WASHINGTON,] July 7, 1944.

Mr. McIntosh came in to see me. His was in the nature of a follow-up of the conversations in respect of civil aviation which we had had with Prime Minister Fraser during which Mr. McIntosh was present. The conversation was general and was merely designed to clarify views.

Mr. McIntosh said that New Zealand had no great ambitions in the air but of course wished to be connected. Their present ideas were running towards a trans-Pacific line to be jointly owned by the British, the Australians, the New Zealanders, and the Canadians, presumably stopping at Hawaii and connecting at Vancouver. I observed that there had been some opposition to a stop at Honolulu, though I gathered that a stop in the Hawaiian Islands might be possible on the ideas which were being generally canvassed now. (*Note: The President believes that a stop on the Island of Hawaii is preferable to one on the Island of Honolulu.*)

With regard to stops on islands or bases in or near New Zealand, Mr. McIntosh said he thought there would be no objection to that.

The Government of New Zealand is sticking strictly to the idea of a central international authority which could control air traffic between nations.

A. A. B[ERLE], JR.

800.796/7-1144

*Memorandum by the Chief of the Aviation Division (Morgan)
to the Assistant Secretary of State (Berle)*

[WASHINGTON,] July 11, 1944.

MR. BERLE: Reviewing the situation with respect to the exploratory talks on aviation, it seems to me that we cannot make much more progress before the international conference until we have had a further talk with the British and definitely ascertained how near we can come to agreement on the fundamental principles of the powers of the international authority and the method which is to be followed in establishing international air transport services.

We have had a number of talks with other nations which have shown us fairly well where we stand with them, and our conversations with the Dutch should be especially illuminating; but the real key to the situation always remains our agreement or lack of agreement with the British. Would it not be in order therefore to reopen the exploratory talks with them as soon as possible? I assume as

a matter of comity that they should make the trip over here this time and have no doubt they will be willing to do so. Probably the best approach would be an informal communication from you direct to Lord Beaverbrook sounding him out.

I also feel that the so-called draft bilateral convention which we have submitted to a number of delegations should also be submitted to the British. An *aide-mémoire* covering this was sent to your office some time ago, but so far as I know the *aide-mémoire* and the document have not yet been delivered. I feel reasonably sure that the New Zealanders will show the document which we handed to them, and the British may be rather suspicious when they realize that we have submitted this document to a number of people but not to them.

I also feel that steps should be taken to enter upon our exploratory talks with the Brazilians as soon as possible, not only because of the importance of Brazil but because we should certainly include one South American nation in these talks prior to any international conference. It is also important for us to clear up the question of rights to the ADT airports.

An invitation was submitted to the Brazilians, but no reply has been received. The Brazilian Government always functions very slowly, but perhaps a follow-up through the Embassy in Rio would be desirable.

S. W. MORGAN

800.796/7-144

The First Secretary of the British Embassy (Gore-Booth) to the Assistant Secretary of State (Berle)

Ref. 56/-/44

WASHINGTON, July 14, 1944.

DEAR MR. BERLE: In Mr. Wright's absence I send you herewith a message which we have received for you from Lord Beaverbrook dated July 12th.

Yours sincerely,

PAUL H. GORE-BOOTH

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle), Dated July 12, 1944

A representative of the Netherlands Government has discussed Civil Aviation with us recently. The meeting was on an official level. As you will be talking to the Netherlands before long I give you a brief account of our talk.

2. We gave to the Netherlands representative a copy of our Commonwealth report which you and I discussed together. We told him

that although you had agreed it would form a suitable basis for discussion at the international conference you did not agree with it in detail and that you regarded it as open to flexible interpretation.

3. On this understanding we went through the Commonwealth Report and explained its various features. We told the Netherlands representative that, whereas we favoured an international authority with executive powers you took the view that international organisation should grow up more gradually and start on an advisory basis.

4. The Netherlands Government have now presented us with a memorandum of their own which we are examining. I gather they will present a similar document to you when your talks with them begin.

800.796/7-1544 : Telegram

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

WASHINGTON, July 15, 1944—10 p. m.

5582. Please deliver the following message to Lord Beaverbrook from Assistant Secretary Berle:

"In view of your approaching visit to this country,⁵² I wonder if it would be convenient for you to take this opportunity to continue the exploratory talks on civil aviation which Warner and I commenced in London. We have made considerable progress in our talks with representatives of other nations and are most anxious to explore further with you various points on which there still may be some disparity in our views. If this suggestion is agreeable to you, I presume you will wish to bring some of your technical advisers, and I assure you we shall be most happy to receive them as well as yourself."

If the above invitation is accepted, we should like to have Satterthwaite proceed to Washington to be present throughout the discussions.

HULL

711.3227/7-1844 : Telegram

The Secretary of State to the Ambassador in Brazil (Caffery)

WASHINGTON, July 18, 1944—10 p. m.

2210. On June 24 the Department, through an *aide-mémoire* to the Brazilian Embassy,⁵³ invited the Brazilian Government to participate in informal exploratory talks on post-war civil aviation. To date no reply has been received.

⁵² Regarding Lord Beaverbrook's visit to the United States to discuss matters relating to petroleum, see vol. III, pp. 94, 118-121.

⁵³ See footnote 35, p. 494.

Anything that you can discreetly and informally do to expedite acceptance of this invitation and the commencement of the talks at an early date will be helpful.⁵⁴

HULL

800.796/7-2044 : Telegram

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

LONDON, July 20, 1944—7 p. m.
[Received July 20—3:07 p. m.]

5731. For Assistant Secretary of State Berle. Lord Beaverbrook will inform you that he will be delighted to discuss aviation with you informally in Washington. He plans to take Masefield with him and, of course, Law is going. If other technicians are needed, he will send for them.

Satterthwaite will leave for Washington a few days after Lord Beaverbrook leaves and in time to have a few days consultation before Lord Beaverbrook is ready to discuss aviation. Department should authorize transportation.

WINANT

800.796/7-2144

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

[WASHINGTON,] July 21, 1944.

At lunch with Lord Beaverbrook today, he gave his ideas as to the possible course of civil aviation matters. He said that he was under instructions to maintain the desire for a strong international body which could regulate civil aviation matters. He was fully aware of our position, which was that we could not assent to this. I gathered, however, from the conversation that at an appropriate time the British Government will recede from its position. Lord Beaverbrook, indeed, indicated that there would have to be several days battle at an international conference before this would be achieved.

He said that he thought the situation had progressed to a point where the parties really interested ought to sit down and begin talking about routes in advance of an international conference. We had stated what we wanted; the Netherlands had stated what they wanted. The British would be able to lay down a map on relatively short notice. Probably the other parties principally interested could do like-

⁵⁴ Ambassador Caffery in telegram 2826, August 9, 1944, reported that he had, on the previous day, made inquiries of the Brazilian Minister of Air, who stated that his principal officers had under study the proposed exploratory talks on postwar civil aviation (711.3227/8-944).

wise. His idea was that we first talk routes, and not talk frequencies. Frequencies could be left for a later stage—possibly an international conference. Routes, especially at this stage of the game, he thought would have to be determined by reasonable give and take between all parties interested—a thoroughly flexible arrangement which could develop as events move forward.

I told him that in the more recent conversations, especially with the Netherlands, somewhat the same idea had been expressed. I would tell him very soon whether he had better send for his route experts while he was here. In any event we should like to know what their plans were since we had already stated our own.

A. A. B[ERLE], JR.

800.796/7-2144

The Counselor of the Belgian Embassy (Gruben) to the Assistant Secretary of State (Berle)

D.8443/8

WASHINGTON, 21 July, 1944.

No. 3516

DEAR MR. BERLE: I have the honor to refer to the exchange of views between yourself and the Ambassador (who is now on leave) and particularly to your letter of June 3, 1944 concerning informal conversations between the Department of State and representatives of the Belgian Government on post-war planning for commercial aviation.

I am now informed that my Government has decided upon the general outlines of its policy on this matter and that I will receive instructions in view of the proposed conversations. I will not fail to inform you as soon as I will receive them in order to initiate without further delays the exploratory discussions suggested by the Department.

Very sincerely yours,

HERVÉ DE GRUBEN

800.796/7-2144

Memorandum of Conversation, by the Chief of the Aviation Division (Morgan)

[WASHINGTON,] July 21, 1944.

Participants: Brigadier J. Holthouse, Air and Military Attaché of the South African Legation
Colonel Leverton, Colonel Greathead and Captain Fletcher, representing the Union of South African Airways who have come to this country to study airport construction and airline operation.

After a brief discussion of the objects of their visit, I took occasion in an informal and strictly personal manner to discuss some of the

questions relating to post-war international aviation. Speaking only for themselves but obviously reflecting general opinion in South Africa, they said that they were strongly inclined towards an international authority with broad powers over international aviation, including the licensing of airlines, fixing rates and frequencies, etc.

For themselves they apparently envisaged only international operations between South Africa and London via Cairo, and they did not seem greatly concerned lest their own traffic might be unduly affected by other airlines coming in under permission of an international authority. On the contrary, they felt that the more airlines wanted to come to South Africa and were permitted to do so the better it would be for them from an economic viewpoint.

With respect to cabotage, they brought up one interesting point. They had noted Lord Beaverbrook's report to Parliament on the agreement between himself and Mr. Berle on the subject of cabotage and said this would not satisfy South Africa. South Africa felt that the neighboring Crown Colonies and self-governing colonies should be considered as being within a South African sphere of influence, and South Africa would not be satisfied to have air commerce between these territories and Great Britain reserved to the latter.

They said that present plans provided for the establishment of only one international airport, which would be at Johannesburg, the industrial center of the Union. International airlines would be permitted to land there with rights of commercial entry, but air traffic between Johannesburg and other cities of the Union would be reserved to the South African airlines. To facilitate this intra-Union traffic, large airports suitable for the operation of four-engined planes will be built at Durban and Capetown. These airports will not be made ports of entry for foreign aircraft.

800.796/7-2144

*Memorandum by the Chief of the Aviation Division (Morgan) to
the Assistant Secretary of State (Berle)*

[Extract]

[WASHINGTON,] July 24, 1944.

MR. BERLE: I invited Peter Masefield to lunch today, with Tony Satterthwaite, and I gathered from Peter that Beaverbrook probably would like to confine his talks to a series of confidential informal discussions with you in an effort to convert you to the British way of thinking. At the same time if he did not succeed in this it might be easier for him to yield ground in talks limited to just the two of you than in a group discussion.

However, I do think that while he is here we should have group discussions and put our talks with the British on the same semi-formal basis that they have been held with the others. Probably both methods could advantageously be followed, the private talks paving the way for the group discussions. I am sure that none of your associates would object to your talking with Beaverbrook apart from the rest.

S. W. MORGAN

800.796/7-2744

The Secretary of State to the Belgian Ambassador (Straten)

The Secretary of State presents his compliments to His Excellency the Belgian Ambassador and has the honor to refer to recent correspondence between the Department and the Belgian Embassy with respect to proposed bilateral exploratory discussions on the subject of post-war civil aviation.

With reference to the Belgian Embassy's letter of July 21, 1944, D. 8443/8 No. 3516, the United States Government will be pleased to enter into these conversations with the Belgian Government as soon as possible. In this connection, there is enclosed a proposed agenda⁵⁵ which has served as a basis for discussions between the United States and several other countries, and which might also be acceptable to the Belgian Government.

Mr. Hull would be pleased to learn of the approximate date convenient to the representatives of the Belgian Government for beginning these exploratory conversations.⁵⁶

WASHINGTON, July 27, 1944.

800.796/7-2744

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

[WASHINGTON,] July 27, 1944.

Mr. McIntosh^{56a} asked whether we connected, in our minds, military with civil air bases.

I said that while the two subjects were distinct, they did have a certain connection. In some cases, certainly, the civil aviation air-

⁵⁵ *Ante*, p. 378.

⁵⁶ On July 28 the Belgian Embassy telephoned to say that it expected to receive instructions from London on this subject, but not before the third week in August.

^{56a} New Zealand Secretary of External Affairs.

fields could be used to keep alive military bases which we might need for the general defense.

Pursuing this opening, I said that our military people felt that we should have to undertake responsibilities in the Pacific, which would include having certain military or naval air bases in the various islands. It might well be that some of these might have to be in islands presently held by New Zealand, though the precise locations had not altogether been worked out. I wondered what the ideas of the New Zealand Government might be.

Mr. McIntosh recognized perfectly that the United States would have to take quite a hand in the continued defense of the Pacific and, indeed, they welcomed it. In respect of military bases, they felt that it would be both wise and useful to have some: he mentioned more particularly New Caledonia (which, of course, is French) but likewise mentioned the Fiji Islands, part of which are under New Zealand administration. He said that in this connection it would be far easier to arrange for air bases under the control of a general world organization for security than on any other basis.

A. A. B[ERLE], JR.

800.796/7-2844

Memorandum by the Chief of the Aviation Division (Morgan) to the Assistant Secretary of State (Berle)

[WASHINGTON,] July 28, 1944.

MR. BERLE: Mr. Escott Reid of the Canadian Embassy called yesterday afternoon and asked if I could throw any light on the message which they had received from the Department of External Affairs, copy of which is attached.

I told Mr. Reid that no technical committees had been set up and no technical talks had been held between ourselves and the British except those on communications participated in by Messrs. Duncan and Jeffcock, representing the British, and a group of American technicians. Mr. Reid was aware that these conversations had been held. I also told him that we did not know of any technical committees which had been set up preparatory to such discussions in other fields, but I thought that such discussions would take place sooner or later. With respect to the question of Canadian representation in these discussions, I said that I would take this up with the appropriate authorities and communicate with him later.

You will note that the Canadians want to participate in technical discussions. Presumably they would prefer a three-party conference with Canada, the United Kingdom and the United States, and it seems to me that if the British agree, this would be the simplest way to

proceed. However, the British did disagree to the original exploratory talks being on a three-party basis.

You may wish to take this up with Lord Beaverbrook to see what his plans are; and if you wish, I will take it up with Mr. Burden and Mr. Warner, who will presumably be handling the American side in such discussions when they are held.

S. W. MORGAN

[Annex]

Teletype Message From the Canadian Secretary of State for External Affairs (Mackenzie King) to the Canadian Minister in the United States (Pearson)

No. EX-3080

OTTAWA, July 25, 1944.

As you are probably aware, during recent conversations between Lord Beaverbrook and Mr. Berle it was agreed to set up Joint United Kingdom-United States Technical Committees on Civil Aviation to study: (List was that agreed upon by Mr. Berle and Lord Beaverbrook)

The United Kingdom representatives on the Committees have indicated that they are prepared to establish direct liaison with interested Canadian officials. However, at the last meeting of the Interdepartmental Committee on Air Transport Policy, it was agreed, in view of the close relationship between standards and techniques of air regulation in Canada and the United States, that it would be desirable for Canada to seek to participate directly in the work of the committees. It would, therefore, be appreciated if you would discuss informally with the appropriate United States authorities the question of Canadian representation on the committees. While we would prefer, of course, to have Canadian representatives taking an active part in the work of the committees, we would be prepared to consider alternative proposals for establishing a close relationship between Canada and the work of the committees which might be put forward, such bi-lateral Canada-United Kingdom and Canada-United States discussions to parallel the United Kingdom-United States discussions or Canadian participation in the United Kingdom-United States discussions in the role of observers.

841.796/7-3044

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

[WASHINGTON,] July 30, 1944.

Over the weekend I had an opportunity to discuss the general situation on aviation with Mr. Richard Law and Lord Beaverbrook. I

said that we were aware that the British airlines, and in particular the B.O.A.C., were making every effort to move out, to acquire landing rights, and to develop commercial intercourse. This was not the declared policy of the British Government, but the fact was that the B.O.A.C., under the guise of the Army Transport, had been doing just this. There was no dissent from this statement. I said that in view of the strong political feeling in England along this line, it seemed that the British Government might have difficulty in checking the process—indeed had not been able to do so thus far. Equally, our own commercial lines disliked the position in which they found themselves, that they could not move out; our Air Transport Command was a purely temporary matter and would vanish at the end of the war. We were therefore in danger of a bad situation arising which might create irritation. On the other hand, if we merely threw the situation wide open, there would be at once an unseemly scramble for considerations, etc., even before the war ended.

Accordingly I wondered whether the thing to do was not [*sic*] to have an understanding that both sides would move out in an orderly fashion, obtaining landing rights along the lines of the routes they wanted, but in no case attempting to exclude the other or prejudice the position of the other. The British already knew the routes we wanted, because the Civil Aeronautics Board had announced them some weeks ago and thus placed their cards on the table. We had a general idea but not a detailed idea of the British routes.

I said that if this plan were considered, each of us ought to keep the other informed of what they were doing and the friendliest basis ought to prevail. We knew that the British wanted landing rights in Brazil; and we did not propose to try to prevent them. They knew that we wanted landing rights in the Mediterranean and the Middle East, and I assumed that they would not try to prevent us either.

Both gentlemen thought this was not a bad idea and I gathered they were wiring London on the point.

I then raised the question of the proposed British re-purchase of Taca—the now American-controlled group of local companies which runs from Central America around the Caribbean Sea. I said that in the prevailing state of American public opinion, the purchase of a collection of lines designed for local service would probably create a good deal of a furor. The President had indicated his hope that no country would undertake to dominate the internal air transport of another country (of course, except former Axis powers). Following his directive, we therefore were not encouraging our people to buy into European local systems, but were concentrating on the long, through lines which were really international in character. Even in South America our policy was to try to help the local countries build up their own international systems—though, of course, there were

cases in which such arrangements were impossible because the country was unable to organize its own aviation.

Mr. Law, who obviously was giving the matter more concentrated thought, said he wanted to think this over likewise. I gathered the idea appealed to him.

A. A. B[ERLE], JR.

800.796/8-244

*Memorandum by the Assistant Secretary of State (Berle)*⁵⁷

[WASHINGTON,] August 2, 1944.

Yesterday, at the conversations with the Russian civil aviation officials, they produced the attached memorandum which undoubtedly was telegraphed them direct and verbatim from Moscow.

The Soviet scheme, as outlined, is virtually this:

The Soviet Union wants all operation of air routes in Soviet territory to be carried on by Soviet planes and Soviet fliers. They propose that international aviation across Russian territory shall be conducted by having the lines of other countries end at agreed points, at which points the Soviet planes and fliers will pick up the traffic. The traffic would then be carried into or across Soviet territory; and the Soviet line would then meet the lines of other countries at a point or points on the other side of Soviet territory. The international agreements would consist of arrangements to coordinate the arrival of American and other planes at the fixed points and the pick-up there of the traffic by the Soviet lines.

This, of course, amounts to a closed Soviet system.

Of added interest is the fact that, as the experimental line, they propose a United States-Moscow service in which the American line will end at Cairo, where the Soviet planes will pick up. Apparently the Soviet theory is that their lines will extend somewhat beyond their own borders in most cases, though this is not final. There are, it is true, certain loopholes in the Soviet memorandum, including a significant paragraph indicating that use of Soviet ports by foreign planes is still under study. But, reversing the general ideas of the air mission, Moscow apparently has opted for the closed system—not unlike the old Russian railroad system which had a different gauge for the railroads so that foreign trains could not run over them.

This is not fatal to a scheme of world aviation if all of the other countries get together, since it would be possible to make a reasonably satisfactory world aviation system with the Soviet Union left out, or

⁵⁷ Addressed to James C. Dunn, Director of the Office of European Affairs, and Charles E. Bohlen, Chief of the Division of Eastern European Affairs.

rather, remaining as a great closed enclave. It happens that few lines need to cross Soviet territory. Even our Far Eastern line to China via the Aleutians could bypass Soviet territory by using the Japanese islands as transit ports on the way to Shanghai. The significance of the Soviet position, therefore, is rather political and general than technical. There is nothing to stop the other countries of the world from getting together on their aviation.

But the general significance seems to me very great. It suggests:

(a) That the Soviet Union still considers her major advantage to lie in a closed and self-conducted commercial system;

(b) That she has made a slight advance, but only a slight advance, in the direction of admitting the rest of the world to her territory in the fashion usual with other countries. It ought to be stressed that the suggestion of admitting passengers and cargo is a very real advance, since heretofore the Soviet Union has not invited this sort of entrance at all. But it still is a long way from the generalized system of free communication;

(c) On the territorial side, it is of interest that the Soviet Union considers her Near Eastern terminus at Cairo. In substance this would mean that no commercial plane headed for Russia would come east of Egypt. Possibly too much significance need not be attached to this; the point might be transferred north to Istanbul when the war is over provided the Turks were willing;

(d) It would appear that at present the Soviet Union is not interested in a northern contact. Too much significance perhaps need not be attached to this at present, since there is still a battle line stretching from Leningrad down the Baltic; but the possibility of an eventual service via Iceland and Stockholm to Moscow is, for the moment, dismissed.

In view of the very real importance which the Secretary attaches to non-autarchy, and the fact that we base much of our hope for the future on open trade and open relations, I rather feel that we ought not to accept this position of the Soviets as final. But it is clear that effective argument will have to be made in Moscow rather than in Washington. This suggests, for consideration, either that someone be empowered to go to Moscow or that Harriman be authorized to take matters up there. Naturally, if Molotov and the Secretary are to meet in the not distant future, these negotiations could be best handled directly between them.

Aside from registering our position (which ought to be done after general Departmental conferences), I think we should make no change in the general line of policy we have been following with regard to all other countries who, like ourselves, hope for open trade, though they equally hope for economic controls of one sort or another tending to favor their aviation lines. These last, it would seem, can

be harmonized sufficiently to get a result. As matters stand now, the three positions are:

(1) The Russian position looking towards a closed area, but with agreements permitting entry of persons and goods (but not planes) into it.

(2) The British position calling for general transportation lines, controlled and allocated by international authority; and

(3) The American position looking [towards?] generalized rights of transit and landing, preferably under a regulated competitive system, conforming to our general commercial policy. In this last respect, we have kept the door open for regulatory controls, in view of the strong opposition in certain quarters in the United States to a truly open system.

A. A. B[ERLE], JR.

[Annex—Translation]

Memorandum From the Soviet Delegation

MR. AMBASSADOR: Permit me, on behalf of the Soviet delegation to make the following declaration concerning the points of the agenda which we have examined at previous joint sessions:

The Soviet delegation declares that the Soviet Government will be able to give its agreement to the inclusion in the international network of air routes passing over the territory of the U.S.S.R. This inclusion of the airlines of the U.S.S.R. in the network of international airlines will insure to the interested countries the possibility of entry into the U.S.S.R. and transit across the U.S.S.R. of cargo and passengers.

The inclusion of the airlines of the U.S.S.R. in the international network will be possible only under the condition that the countries and air transport organizations interested therein will proceed from the fact that the transit carriage through the U.S.S.R. will be carried out only by Soviet planes and in addition, questions affecting the right of transit of goods and passengers will be regulated by special treaties and agreements between the U.S.S.R. and other interested countries.

In so far as the granting of the right of foreign aircraft to fly into the territory of the U.S.S.R. and also the right to use the air-dromes on that territory are concerned, the Soviet delegation at the present stage of the conversations can not give answer since this question is being studied by the competent organs.

In regard to the establishment of international airlines connecting the U.S.S.R. and the U.S.A., it is expedient in the opinion of the Soviet delegation, during the present exploratory talks, to consider the principles of the organization of one of the most important post-

war routes, i.e. Washington (or New York), Azores, Algiers, Cairo, Tehran, Astrakhan, Moscow. For the exploitation of this line, it might be possible either to organize by agreement between the Governments of the U.S.S.R. and the U.S.A. a joint administration or company on a parity basis, or to agree on the coordination of operation of appropriate lines connecting with each other at definite points created for this purpose by the national aviation companies of each country.

For the purpose of assuring the development of civil aviation and the preparation of national aviation personnel and also taking into consideration the observations set forth above, the section of the route, Washington (New York)–Cairo, will be operated by American aviation personnel and American airplanes and the section, Moscow–Cairo by Soviet aviation personnel and Soviet airplanes.

In regard to sections of the routes which pass over the territory of third states, both parties will make arrangements with these states.

The Soviet delegation declares that the question of the utilization of airports on a non-exclusive basis requires further study. In regard to the question of air cabotage, the Soviet delegation has no objection to the principle in accordance with which air cabotage will be carried on within a country in the airplanes of that country.

At the same time, the Soviet delegation informs the American side that in the near future the Americans through customary diplomatic channels will receive our draft of an agreement which it will be expedient to consider through the medium of subsequent diplomatic negotiations between the two parties.

800.796/8-244

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] August 2, 1944.

Mr. Wayne Parrish asked me to lunch to meet Commandant Lesieur who, he tells me, is charged by the Committee in Algiers with matters affecting French civil aviation and post-war international commercial air transport.

I asked Commandant Lesieur what if anything he could tell me about the French plans for the post-war period. He said that, while their plans have not taken form, his own ideas favored the operation of the necessary lines to link France with her colonies and outlying possessions and a few lines operated for purely commercial reasons.

In answer to further questions he said that he thought France should have a line to the Far East, Indo China, and China; a line across the Atlantic into the United States; and a line via Africa to

South America, including Rio, Buenos Aires and Santiago. He did not think it necessary for French lines to touch the French islands in the South Pacific or, in the Western Hemisphere, to include French Guiana, Martinique and Guadeloupe.

He made several references to trading of rights and routes between France and ourselves by which I gathered that he envisaged a sort of bargaining under which France would hold back giving anything until some satisfactory *quid pro quo* was offered. He was pretty vague, however, on this point.

He said that in the case of an international conference on aviation, which he hoped France would attend, France would be opposed to any international authority with broad powers and would probably adopt the same attitude towards such an authority that he understood the United States would probably take. He mentioned that this would probably be in opposition to the United Kingdom, the Dominions and the Dutch. He thought, however, the Belgians would line up with France and the United States. He said that he personally and a number of other people in France familiar with air transport problems would favor freedom of transit with right of technical stop but that there would be a strong opposition to this on the part of many people influential in politics . . .

He told me that he is now on his way back to Algiers and that any communications which we might make to the French Committee with respect to post-war aviation matters would be referred to him and his aim was to cooperate with this country in every possible way.

He very clearly conveyed the impression that he considered himself as both highly influential in French Government circles and as directly charged with matters affecting international aviation.

S. W. MORGAN

800.796/8-344

*The Chairman of the Civil Aeronautics Board (Pogue) to the
Assistant Secretary of State (Berle)*

WASHINGTON, August 3, 1944.

DEAR ADOLF: In reflecting upon the seriousness of the conference which we had with the Russians on Tuesday of this week,⁵⁸ I had first thought they might be trading. But on the assumption that they are not doing that, I bring forward a thought which you might have already put in motion. You will recall that when you, Senator Clark, and myself were called to the President's office some time ago, he re-

⁵⁸ August 1.

counted a talk which he had had with Stalin about air problems of the future.⁵⁹ He said that he had told Stalin we would like to fly across Siberia on the way to China; that he would have no objection to the Russians flying across Alaska and even the United States on their way to somewhere else if they wanted to do so. Stalin's reply was that he thought Roosevelt was, in general, right; that we would all want to be flying outside our borders when the war was over; and that he felt sure some satisfactory arrangement could be made.

With commercial, cultural, and political relationships so deeply affected by the civil air policy of the future, and believing in the inevitability of the victory of technology over political barriers (which is to say believing in the inevitability that the world's air must be opened up), I suggest that you consider the possibility of urging the President, himself, to take a hand in this problem directly with Stalin. No doubt, you have already pondered on this possibility; but I feel confident that you will understand my earnestness in writing you this note.

Sincerely yours,

L. W[ELCH] P[OGUE]

800.796/8-344

The Assistant Secretary of State (Berle) to the Chairman of the Civil Aeronautics Board (Pogue)

WASHINGTON, August 3, 1944.

DEAR WELCH: Thank you for your letter of August 3, 1944. Further study of the Soviet memorandum (copy of which I enclose)⁶⁰ reveals certain contradictions in it which may somewhat modify the first impression we had, though perhaps not too much. But, like you, I am inclined to believe that the ultimate determination of policy will have to be discussed in Moscow. Before tackling the President on it, I want to see whether the Secretary thinks it wise to discuss the matter with Molotov. I agree with you that ultimately a policy of hermetically closed air is flying in the face of both technological and political currents; and I feel as earnestly about it as you do.

Sincerely yours,

A. A. BERLE, JR.

⁵⁹ See penultimate paragraph of memorandum by the Assistant Secretary of State, June 10, p. 488.

⁶⁰ *Ante*, p. 518.

800.796/8-344

Memorandum of Conversation, by the Assistant Chief of the Aviation Division (Walstrom)

[WASHINGTON,] August 3, 1944.

Participants: Lord Beaverbrook, Lord Privy Seal
Mr. Ralph Assheton, Member of Civil Air Transport
Committee of British Cabinet
Mr. Peter Masefield, aviation adviser to Lord Beaverbrook
Mr. A. A. Berle, Jr.
Messrs. Stokeley Morgan and J. D. Walstrom, AD
Mr. Livingston Satterthwaite, Civil Air Attaché,
London.

The first matter discussed was the memorandum handed to us by the Russians on August 1, stating that the Soviet Union wished all air routes within its territory to be operated by Soviet planes and crews. A copy of the Russian memorandum was shown to Lord Beaverbrook and his associates. It was agreed that an effort should be made to get the Soviets to change their attitude. If this could not be achieved, it would still be possible for other countries to engage in international air transport on a large-scale, since the transit of Soviet territory was not essential in establishing major world routes.

The second item of discussion related to the acquisition of landing rights abroad. Mr. Berle said that certain London papers had apparently misinterpreted our negotiations for landing rights in Spain,⁶¹ but we hoped the British Government did not feel that we "were jumping the gun." Lord Beaverbrook said they had no feeling of this whatever. It was then agreed that both the United States and Britain should be able to negotiate for landing rights abroad, so long as both countries continued their informal understanding that such rights would not exclude the other country. Mr. Berle said we realized that the British desired to go to South America, and we did not intend to stop them. Equally, we desired to operate through the Near and Middle East, and we presumed the British would have no objection. Lord Beaverbrook said they did not want to go to South America until they could go to Argentina. However, he agreed with Mr. Berle that both our countries should feel free to proceed with negotiations to obtain landing rights *pari passu*.

Mr. Masefield raised the question of flight equipment for British lines. He was told that the American lines themselves were short of

⁶¹ Negotiations for air transport services agreement between the United States and Spain, signed at Madrid, December 2, 1944 (Department of State Executive Agreement Series No. 432).

equipment, but that the Munitions Assignments Board (which also sits in London) might be able to assign some American planes to British airlines later on.

The third subject dealt with Lowell Yerex and the Taca interests. Lord Beaverbrook said their Ambassador (he did not mention the country) had informed London that Yerex was not wholly satisfied with the sale of his companies to American interests, and in view of this, together with Yerex' British nationality and the British interests in B.W.I.A.,⁶² he had been invited to London to talk. According to Lord Beaverbrook, Yerex indicated his desire to sell both his interests and those of T.W.A.⁶³ to the British, but Lord Beaverbrook had said they would not go through with such a deal "unless Mr. Berle approved."

Mr. Berle pointed out that British acquisition of the Yerex companies in the Caribbean area would undoubtedly meet with strong criticism of the British from certain sections of American official circles and public opinion, and he felt that such a development would be undesirable from the standpoint of both our countries. He therefore suggested that the British defer action for six or eight months, and that we would again review the matter with them. Lord Beaverbrook gave the impression that he would follow this suggestion.

811.79600/8-344

The Secretary of State to the Delegate of the French Committee of National Liberation (Hoppenot)

The Secretary of State presents his compliments to the Honorable the French Delegate and has the honor to call attention to the fact that the United States Government has been holding exploratory conversations with certain Governments for the purpose of exchanging views on post-war civil aviation.

In the event that the French authorities also would be interested in entering into such discussions with the United States Government, a French delegation designated for this purpose would be welcome here. There is enclosed a proposed agenda⁶⁴ covering certain points which this Government feels would offer a suitable basis for these conversations. This Government will be pleased to learn whether or not the French authorities would find it convenient to participate in such bilateral conversations in the near future, and the approximate date on which these discussions might be started.

⁶² British West Indian Airways, Ltd.

⁶³ Trans-World Airways.

⁶⁴ *Ante*, p. 378.

In connection with this general subject, the Secretary of State refers also to the Department's note addressed to the Honorable the French Delegate under date of June 15, 1944,⁶⁵ transmitting a copy of a statement for the press released on June 14, 1944 by the Civil Aeronautics Board of this Government. This statement listed the proposed international air routes which the Civil Aeronautics Board believes may be desirable for post-war operation by United States air carriers.

As mentioned in the Department's note of June 15, 1944, the establishment of these routes will be dependent upon the consent of the various Governments through whose territory they will be operated. This will involve considerations of reciprocity in a number of cases, and in this connection the United States Government believes that a world pattern of routes can best be worked out if some of the interested countries will inform each other of their plans in this respect.

The United States Government, having already announced its own projected international air routes, would appreciate receiving any information which the French Delegation can supply at this time concerning the tentative French plans on this subject. A similar inquiry is being addressed to certain Governments which are also expected to operate international airlines in the post-war period.⁶⁶

This Government hopes that such information can be made available promptly, and on a non-confidential basis with permission to transmit copies to the appropriate authorities of other countries concerned. In this way a picture of the probable post-war international aviation network may take shape at an early date, thus permitting an intelligent discussion of the needs and requirements of each country and the rights which it can expect to receive from others.

WASHINGTON, August 3, 1944.

800.796/8-544

*The Chief of the Aviation Division (Morgan) to the Counselor of the Belgian Embassy (Gruben)*⁶⁷

WASHINGTON, August 5, 1944.

MY DEAR BARON DE GRUBEN: In anticipation of the exploratory talks on aviation which are to commence next Monday,⁶⁸ I take pleas-

⁶⁵ See circular telegram of June 12 and footnote 32, p. 491.

⁶⁶ Inquiries were sent on July 26 to the British Chargé; on July 28 to the Brazilian Ambassador and the Belgian and Norwegian Ministers; on July 29 to the Netherlands Ambassador, the Canadian Chargé, the Agent General of India, and the Ministers of Australia, New Zealand, and the Union of South Africa.

⁶⁷ A similar letter was sent on August 14 to the Indian Agency General with the information that exploratory talks were set to commence on August 22.

⁶⁸ August 7.

ure in sending you herewith, for the information of the Belgian group who will participate in these talks, a copy of a "Summary of Objectives Favored by the United States of America With Respect to Post-War Civil Air Transport".⁶⁹

This document has been submitted to the other national groups with whom we have already held exploratory talks, as a basis for discussion and exchange of views. This summary has been prepared tentatively, on a technical level, and is to be considered as strictly informal.

We will be happy to receive any statement of the views or objectives of the Belgian Government that you care to submit for our consideration either before or during the talks. We are looking forward with a great deal of pleasure to this opportunity to exchange views with Belgium.

Sincerely yours,

STOKELEY W. MORGAN

800.796/8-744

The South African Minister (Gie) to the Secretary of State

WASHINGTON, 7 August, 1944.

The Minister of the Union of South Africa presents his compliments to the Honourable the Secretary of State and has the honour to refer to the Department of State's *Aide-Mémoire* of June 22nd, 1944,⁷⁰ extending an invitation to the Government of the Union of South Africa to enter into discussion with the United States Government on the subject of post-war aviation.

The Minister has been directed to say that the Union Government greatly appreciate the kind invitation extended to them and that they would have liked being in the position of exchanging views with the United States Government at this time. The Union Government find, however, that they are not quite ready to exchange views at the present time. It is proposed to hold a conference of British territories in Southern Africa in the near future for the purpose of considering certain matters of mutual interest concerning post-war civil aviation. The Union Government will participate in this conference and therefore would prefer to postpone the proposed bilateral discussions with the United States Government until after that conference is over. They hope that the United States Government will not find such a postponement inconvenient.

⁶⁹ *Ante*, p. 422.

⁷⁰ See footnote 35, p. 494.

800.796/8-844

*Memorandum of Conversation, by the First Secretary of Embassy in Canada (Clark)*⁷¹

OTTAWA, August 8, 1944.

I mentioned to Mr. Macdonnell⁷² Prime Minister Fraser's statement which was reported in the press this morning to the effect that he hoped to see established a Pacific Air Service which would be jointly operated by Australia, New Zealand, Canada and Great Britain, and asked him whether Canada had changed its policy with regard to such a service.

Mr. Macdonnell said that, as Mr. Howe had announced in Parliament, Canada had a desire to operate a Pacific Service. He thought it quite likely, therefore, that Canada would be prepared to join with Australia and New Zealand in the joint operation of such a service. He was rather surprised, however, to see Mr. Fraser's mention of the U.K. as a further partner.

Mr. Macdonnell laughingly admitted that the Canadian draft of an international air convention had purposely included an arrangement which would permit a great deal more intermediate traffic on a joint service such as that proposed by Mr. Fraser than would be possible on a service operated by a single country.

Mr. Macdonnell said that he knew of no proposed Canadian service to South Africa, and in addition he thought such a service would be unprofitable.

800.796/8-944

Memorandum of Conversation, by the Chief of the Aviation Division (Morgan)

[WASHINGTON,] August 9, 1944.

Mr. Gore-Booth called on Tuesday, August 8th just for a chat. I took advantage of this opportunity to carry out Mr. Berle's instructions to check with the British before finally sending out our circular instruction on landing rights. I asked Mr. Gore-Booth if anything had been heard from London and said that before carrying out the program which had been cleared between Mr. Berle and Lord Beaverbrook I wanted to make certain that there was no misunderstanding, although I felt sure that Lord Beaverbrook had expressed his approval. Mr. Gore-Booth said that he did not know that anything had been received from London and could not say that there was no question for further discussion or that it was thoroughly understood that the British Government approved of the plan. He

⁷¹ Received in the Department of State on August 12.

⁷² Ronald Macdonnell of the Canadian Department of External Affairs.

said he would like to check with Lord Beaverbrook or his staff and communicate with me further.

On Wednesday, August 9th, Mr. Gore-Booth called and said that he had talked with Peter Masefield and the situation was as follows: That Mr. Berle had the personal agreement of Lord Beaverbrook to the plan but that this did not constitute agreement or approval by the British Government. He had no reason to think that there would be any objection raised but he thought it should be clearly understood that their approval had not been expressed, in fact that no views had been expressed on the part of the Government.

I said I assumed that Lord Beaverbrook had reported the conference to London, and in the absence of any comment from there was I safe in assuming that there was no objection? Mr. Gore-Booth said that he could not go so far as to give such an assurance. He was not certain, in fact he rather doubted, that Lord Beaverbrook had made any report to London. He said that, of course, we were at liberty to go ahead on Lord Beaverbrook's personal statement if we felt that was conclusive, but he could not say that he thought it was. I said that we wished to be certain that there was no possibility of any misunderstanding.

Mr. Gore-Booth then suggested that he would send a cable to London immediately to try to clarify the situation. I pointed out that we had already waited a week since the conference with Lord Beaverbrook and so I hoped that the final go-ahead signal could be received promptly.

S. W. MORGAN

800.796/8-944

The Counselor of the Belgian Embassy (Gruben) to the Chief of the Aviation Division (Morgan)

D. 8443/8
No. 3778

WASHINGTON, August 9, 1944.

DEAR MR. MORGAN: I acknowledge with thanks the receipt of your letter of August 5, 1944, enclosing, for the information of the Belgian group participating in the exploratory talks on aviation next Monday, an informal summary of the American objectives.

You will find attached hereto, for the information of the members of the American group, a similar informal summary of the objectives favored by my Government in the same field.

There is also enclosed herewith this Embassy's note informing the State Department of the composition of the Belgian group.⁷³

Sincerely yours,

HERVÉ DE GRUBEN

⁷³ *Infra.*

[Enclosure]

SUMMARY OF OBJECTIVES FAVORED BY THE BELGIAN GOVERNMENT WITH
RESPECT TO CIVIL AIR TRANSPORT

1. Confirmation of Article I of "CINA" (Conférence Internationale Navigation Aérienne at Paris, October 13, 1919) stipulating that the territory of a country should be understood to include the national metropolitan and colonial territory.

2. Each nation should have the right of cabotage within its territory as specified in No. 1.

3. The right of transit and non traffic stop for technical reasons should be recognized.

4. The Belgian Government is in favor of the setting up of an international body with regional committees for the purpose of regulating civil air traffic. This body should emanate from the governments and not from the companies engaged in civil air transport.

5. The right to load and unload passengers outside the national territory should be defined by the international body mentioned in No. 4.

6. The granting of subsidies to favor competition should be eliminated. The question of subsidies deemed indispensable by the respective governments should be left to the international body suggested in No. 4.

7. Steps should be taken by all nations in the form of an international agreement for the establishment of uniform standards for aircraft worthiness, operation, and all matters dealing with the safety of civil aviation. The establishment of these standards should come within the scope of the international body.

8. Each nation reserves the right to organize its civil aviation in the form which it judges to be to its own advantage, whether by private companies, monopolies, or government operation, etc.

9. In order to avoid harmful competition in the international traffic, it is desired that uniform rates should be adopted.

AUGUST 9, 1944.

800.796/8-944

The Belgian Embassy to the Department of State

D.8443/8

No. 3779

The Belgian Embassy presents its compliments to the Department of State and, with reference to the latter's note of July 27, 1944, has the honor to inform the Department that the delegation appointed by the Belgian Government in view of the exploratory talks on post-war

commercial aviation, suggested by the American Government, will be composed as follows:

1. Mr. Joseph Jennen, Commercial Counselor for Relief, Belgian Embassy;
2. Mr. Joseph Nisot, Legal Adviser, Belgian Embassy.

It is understood that the conversations will begin on Monday, August 14, at 3 P. M., at a place to be designated by the Department of State.

WASHINGTON, August 9, 1944.

800.796/8-944

Memorandum by the Chief of the Aviation Division (Morgan) to the Assistant Secretary of State (Berle)

[WASHINGTON,] August 15, 1944.

MR. BERLE: Reference my memorandum of August 9th.

I telephoned Mr. Gore-Booth to ask whether any comment had been received from London regarding our plan to commence negotiations for landing rights. He replied that nothing had been received.

I then said that as we had waited a week for any comment that might be forthcoming and two weeks since the conversation with Lord Beaverbrook, I was inclined to think we should proceed with our plan without further delay. There had been no reason to expect any comment after the matter had been cleared between Mr. Berle and Lord Beaverbrook, but we had wanted to give the Foreign Office time to make some comment if it cared to do so.

Mr. Gore-Booth raised no objection to our proceeding without further delay but simply felt bound to point out that he could not definitely say either that the British Government had no comment to make; only that no comment had been received. He agreed that we had waited ample time.

I told him, therefore, that we would get out our instructions immediately.

S. W. MORGAN

800.796/8-1644

The First Secretary of the British Embassy (Gore-Booth) to the Chief of the Aviation Division (Morgan)

WASHINGTON, August 16, 1944.

DEAR STOKELEY: With reference to our telephone conversation this afternoon I now have pleasure in sending you a paraphrase of the Foreign Office telegram from London about the attitude of His Majesty's Government in the United Kingdom to the suggestion that

the United States Government should go ahead with bilateral negotiations for landing rights for United States civil aircraft, along the routes proposed by the Civil Aeronautics Board.

Yours ever,

PAUL GORE-BOOTH

[Enclosure]

*Paraphrase of a Telegram Received From London, Dated
August 16, 1944*

Please inform State Department that it is wrong to suppose that Lord Beaverbrook assured Mr. Berle that His Majesty's Government would have no objection to the United States Government going ahead with bilateral negotiations for landing rights along Civil Aeronautics Board projected air routes.

2. On August 3rd Mr. Berle and his colleagues including Mr. Morgan saw Lord Beaverbrook and his colleagues in Washington, and informed them that it would be necessary for him to take action to satisfy the pressure both of United States public opinion generally, and more particularly of those interested in utilising air transport in the near future. Mr. Berle explained that owing to the combined pressure of traffic considerations, public opinion and political considerations, the United States Government would be moving into Spain, and then out on to the other trunk air routes throughout the world, when facilities can be provided. Lord Beaverbrook told Mr. Berle that he would so inform the Civil Air Transport Committee of His Majesty's Government in the United Kingdom.

3. On August 11th Lord Beaverbrook communicated with Mr. Berle by telephone in Massachusetts. He informed Mr. Berle of the contents of the telegram which he was despatching to London for the Civil Air Transport Committee, and which contained substantially the information in the preceding paragraph of this message. Mr. Berle expressed his approval of the action proposed by Lord Beaverbrook.

4. On August 12th Mr. Gore-Booth told Mr. Masefield that the State Department were pressing to start negotiations and were asking for Lord Beaverbrook's consent. Mr. Masefield informed him that Lord Beaverbrook had given no assurance, and that no answer could be given on the point until the Civil Air Transport Committee had considered the matter.

5. On August 28th the Civil Air Transport Committee will consider the information now in its possession. The delay in meeting is due to the impossibility of the Cabinet Ministers concerned meeting together before that date.

6. Lord Beaverbrook has returned to London for the purpose of attending this meeting, and he informed Mr. Berle of this fact.

7. In his conversation with Mr. Berle on August 3rd Lord Beaverbrook told him that we made no objection to United States activity in Spain on a non-exclusive basis, but that he would have to consult his colleagues on the broader issue. Mr. Berle thus could have been under no misapprehension about the position.

800.796/8-2144 : Telegram

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

WASHINGTON, August 21, 1944—9 p. m.

6662. From Berle for Beaverbrook. In anticipation of the meeting of the Cabinet Committee on Air Transport on the 28th instant, the following is an accurate statement of the American policy:

It is now obvious that in many parts of the world the war area has contracted and civil needs are steadily reasserting themselves. This is notably true in the Western Mediterranean, North Africa, and the Middle East, where civil life is reestablishing itself as the war recedes northward. In substance, war conditions no longer prevail in the southern part of the Western Hemisphere. The Pacific, of course, continues to be definitely an area of active military operations, as does Europe, with the exclusion of Portugal, Spain, and most of Italy.

The extension of civil aviation to regions now open for such communications appears to be dictated by the highest considerations of humanity and common sense, as well as by the inherent interest in reestablishing, so far as possible, normal commercial life. Exclusion of civil aviation from these areas on war grounds becomes increasingly less justifiable, and on any other grounds wholly unjustifiable. The Governments of Great Britain and of the United States alike hope for an international conference which should discuss all of these matters, but it is realized that an international conference, if completely successful and resulting in full agreement even in details, will not result in the immediate creation of implementing machinery, with the result that a considerable time must elapse before the results of such a conference can be translated into actual air communications and service. With this in mind, the United States feels that an *ad interim* arrangement should be immediately adopted under and by which, to the extent that equipment is released from strictly military use, airlines can be established serving the principal centers of population, including Latin America. This involves the securing of transit

and landing rights by the United States and by Great Britain for the interim period to and in the centers to be served. The British Government is already advised of the routes and landing points which the United States proposes to establish, and it is understood that they will tell us the routes and landing points which they are asking.

The Government of the United States likewise notes that in substance the B.O.A.C. is doing this now, since it operates as a militarized service where this is convenient, but as a commercial service whenever practicable, and is actually performing the service of a fare-receiving common carrier, though on a priority basis, in the areas from which the war has actually receded. The American Air Transport Service, however, is a wholly militarized line which has not been collecting fares nor performing any of the regular services of a common carrier. The disparity between these two sets of arrangements is so great as to excite considerable difficulty here, with real danger of considerable public reaction.

The routes, transit and landing rights established for the interim period would, of course, be subject to discussion at the international conference, perhaps separated from the discussion of air navigation matters, so that the jurisdiction of that conference shall not be foreclosed.

In handling interim arrangements, it is suggested that our two Governments keep each other fully informed as we have been doing heretofore; that diplomatic cooperation will be maintained; and that no arrangements shall be made by which either party will try to effect exclusion of the other, or foreclose the legitimate rights of any other country.

In view of the rapid progress of the war in Europe, and particularly of the probability that there will be urgent necessity for air transport between North America and France before very long, the situation is of immediate importance and calls for immediate action. It is hoped accordingly that the Civil Air Transport Committee may see its way clear to agree with the American position in this regard. May we hope for a very speedy answer? [Berle.]

HULL

800.796/8-2944

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, August 29, 1944.

DEAR MR. BERLE: I send you herewith the text of a message dated August 29th which we have received for you from Lord Beaverbrook about Civil Aviation.

Yours very sincerely,

MICHAEL WRIGHT

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle), Dated August 29, 1944

I have now had an opportunity of consulting my colleagues on the subject of your proposals to me of August 3rd elaborated in your telegram of August 23rd.⁷⁴

2. We ask you for a postponement of your project for moving out on to civil air routes of the world.

3. We still feel that the next step should be to hold an international conference on basis agreed between us in London last April at the earliest date convenient to us both.

4. If for domestic reasons, you should find it difficult to hold a conference in Washington at the present time, we shall understand your position and stand ready to call a conference ourselves in London.

800.796/9-644

The Counselor of the British Embassy (Wright) to the Assistant Secretary of State (Berle)

WASHINGTON, September 6, 1944.

MY DEAR MR. BERLE: I enclose herewith the text of a message dated September 1st which we have just received for you from Lord Beaverbrook.

Yours very sincerely,

MICHAEL WRIGHT

[Enclosure]

Message From Lord Beaverbrook for the Assistant Secretary of State (Berle), Dated September 1, 1944

Air Ministry sent me following information on paragraph 4 in your telegram of August 23rd on the subject of B.O.A.C.

2. You mention that B.O.A.C., as a Government instrument operates air services both as a common carrier and in military form. You say that in contrast the "American air transport service" is wholly militarised and that the disparity between these two arrangements raise difficulties and danger of public reaction in America.

3. It is true that B.O.A.C. is wholly owned by British Government but in normal times it will be an independent unit operating without Government operational control. It will thus be virtually a commercial concern in peacetime subject only to Government policy control.

4. The war has changed the conditions. Since it was formed, after

⁷⁴ Reference is presumably to telegram 6662, August 21, 9 p. m., to London, *supra*.

the outbreak of war, B.O.A.C. has operated entirely under the Air Ministry control. All its services are war services. B.O.A.C. was militarised in North Africa because the services traversed there a theatre of military operations.

5. Military operations of B.O.A.C. are analogous to operations of T.W.A. and the American air lines' crews under the United States Air Transport Command.

6. It would be fairer for us to compare B.O.A.C. with Pan American Airways. Although B.O.A.C. is owned by British Government and Pan American by American public, their relative positions are comparable. Pan American Airways, however, flies both as a commercial operator and also under the Air Transport Command and Naval Air Transport Service.

7. On the North Atlantic route B.O.A.C. carries no fare-paying passengers, mail or commercial freight whatsoever. On the same route both Pan American Airways and American Export Airline are operating commercial services for which they receive revenue.

8. Purpose of this telegram is solely to explain the situation. I do not send it in any spirit of controversy.

800.796/9-744

*The Canadian Embassy to the Department of State*⁷⁵

MEMORANDUM

POST WAR CIVIL AVIATION ARRANGEMENTS

It is recognized by the Canadian authorities that additional air services may be required in the immediate future and that it is necessary to improve civil air facilities as the war recedes; that all action should not be delayed until hostilities have ceased.

Nevertheless, the Canadian authorities feel strongly that to deal with this situation by encouraging bilateral agreements on air rights before an International Air Conference is held will seriously prejudice the chances of reaching a successful international settlement at that Conference. There now exists an opportunity, which may not soon recur, of reaching a broad measure of international agreement on the future lines of development of international air transport. There is considerable support among Governments for the view that an advance must be made in this field beyond the restrictive type of air diplomacy which characterized the pre-war period.

The constructive part that an International Conference might play in furthering this advance might well be made impossible by a race

⁷⁵ Marginal notation: "Phone to Mr. Reid, Canadian Embassy, who said that, a conference having been called, no reply to this is required. BC: JGP 9/20/-44."

to conclude bilateral agreements at the present stage. The Canadian authorities, therefore, favour the calling of an International Conference at the earliest possible date and are anxious that the chances of success of this Conference should not be prejudiced by prior bilateral commitments.

Individual rights, which might well be conflicting, would militate against the give and take which would be possible if Governments came to a conference without commitments and in a sincere effort to reach a multilateral agreement in the interests of all. A return to the hard bargaining of the pre-war period with all its rivalries and animosities is not necessary. On the contrary, the Canadian authorities are hopeful that the Nations interested in air transport can deal with the subject on a more rational basis in the interests of improved communications and better international relations. They are confident that to fall back at this stage, before any attempt at an international settlement has been made, on a purely bilateral approach is to miss an opportunity to put international air transport on a new and sounder basis.

WASHINGTON, September 7, 1944.

800.796/9-844

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

[WASHINGTON,] September 8, 1944.

Mr. Pearson came in to see me and presented a note⁷⁸ which I have already transmitted to the Aviation Division, urging the prompt convening of an international aviation conference.

I told him that the British had been making a similar suggestion; that we had had it under consideration in the Department and that it was presently before the White House. I told him confidentially that I hoped we would have action one way or the other very soon; and that I had some reason to believe that the decision would be in line with the course desired by the Canadian Government, by the British Government, and I thought also by our own Government.

I likewise said that since one of the urgent problems would be the opening at once of communications to countries freed of military interruption, a conference of the kind suggested would have to be prepared to discuss at least provisional arrangements capable of immediate implementation. Mr. Pearson cordially agreed.

A. A. B[ERLE], JR.

⁷⁸ *Supra*.

800.796/9-944

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

[WASHINGTON,] September 9, 1944.

The President telephoned me yesterday evening. He referred to his conversation with Secretary Hull about the proposed international aviation conference; and then said that after thinking it over he approved the project and believed we should go ahead.

He said that a United Nations Conference on the Dumbarton Oaks agreements⁷⁷ might be coming along on October 25 and wondered about dates. I told him that I thought late October would be the very earliest it could be held. He said he thought that some of the people coming from the Dumbarton Oaks Conference might go from there to the aviation conference; in fact, this was simply another section of the peace settlements; and left the question of the date to us. He asked whether we had any ideas as to place. I told him that I understood he did not want conferences in Washington where they would be difficult and inconvenient; and added that I had been wondering whether some Midwest city like Chicago, Illinois, might not be useful. He said this idea appealed to him; though he obviously had not had time to consider the point carefully.

He asked whether I thought we could get unanimity. I told him that as we had outlined the conference—to deal with preliminary arrangements, with principles for long-range settlement, and with reference to drafting committees to work up the final projects—there was always an “out”: questions which threatened to provoke differences could always be referred, if need be, to the drafting committees. I further said that if he could find it in his heart to have this conference open to the public and press from the very beginning I thought we could come in with a proposition which would so powerfully engage public sentiment that few, if any, countries would care to exclude the United States from its legitimate rights; and that other differences could either be composed in committee or left for later negotiation. The President agreed and authorized us to go ahead.

A. A. B[ERLE], JR.

⁷⁷ For documentation on the Dumbarton Oaks conversations, held at Washington, August 21 to October 7, 1944, see vol. I, pp. 713 ff.

800.796/9-644

*The Assistant Secretary of State (Berle) to the Counselor of the
British Embassy (Wright)*

WASHINGTON, September 9, 1944.

MY DEAR MR. WRIGHT: I should be obliged if you would send the attached telegram to Lord Beaverbrook in answer to his messages to me dated respectively, August 29 and September 1, 1944.

Sincerely yours,

ADOLF A. BERLE, JR.

[Enclosure]

*Message To Be Sent to Lord Beaverbrook From the Assistant
Secretary of State (Berle)*

I am now in a position to reply to your message of August 29. The President has approved the calling of an International Air Conference to be held in the United States on or about November 1 and we are accordingly issuing invitations to substantially all the countries.

It is not possible to enter the agreement suggested by you that the United States bind itself not to request landing rights. In view of the proposed conference to be held within sixty days probably the request loses most of its importance. We do not propose to start a scramble for landing rights and will keep you informed. Of course we shall do nothing which would exclude any other nation, and we should be disposed to discuss all questions at the proposed conference. We are not contemplating hasty or violent action, but simply cannot be in the position of accepting a position which will prevent us from protecting American interests.

With best regards, and I look forward to seeing you within two months.

BERLE

800.796/9-944 : Telegram

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

WASHINGTON, September 9, 1944—midnight.

2174. The President has approved the calling of an International Air Conference to be held in the United States on or about November 1, and we are accordingly issuing invitations to about fifty nations including, of course, the Soviet Union, to attend.

The Conference will have for its objective the further development of the topics discussed in the recent exploratory conversations which we held with a limited number of nations. We consider that the re-

opening of great areas to civil aviation requires action on a multi-lateral basis at the earliest possible date.

The formal invitation will be forwarded within a few days and in presenting it to the Soviet Government the Department desires that you explain to them that since the calling of this Conference is of the utmost urgency, we have not followed the course which we ordinarily would of consulting them before hand nor did we consult any other nation. We trust that the Soviet Government will be in agreement with us with respect to the urgency of this matter.

It is contemplated that this Conference will be on a fairly high level, however, we will advise definitely on this point in the near future.

HULL

[On September 11, 1944, the Government of the United States sent out invitations to an International Civil Aviation Conference to take place in the United States beginning November 1, 1944. For text of the invitation and list of governments and authorities to whom invitations were extended, see Department of State *Bulletin*, September 17, 1944, pages 298-299, or Department of State Publication No. 2820, *Proceedings of the International Civil Aviation Conference, Chicago, Illinois, November 1-December 7, 1944*, volume I, pages 11-13.]

800.796/9-1344

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

[WASHINGTON,] September 13, 1944.

The Icelandic Minister ^{77a} came in to see me at his request and wanted some background on the proposed air conference. I gave him a copy of the press release which includes the text of the invitation and generally indicated the problems to be discussed.

The Minister asked whether the Conference would be decisive or whether it would be consultative taking decisions which had to be referred to the Government. I told him in respect of provisional arrangements I hoped it would be as decisive as possible to better present transitional air arrangements. As to all other matters, of course, it could only be consultative.

I told him we were interested in making more precise the arrangements presently in effect for most favored nation and national treatment for fields such as the airfield at Keflavik and that I hoped he would discuss the details with Mr. Stokeley Morgan.

A. A. B[ERLE], JR.

^{77a} Thor Thors.

800.796/9-1444

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

[WASHINGTON,] September 14, 1944.

Participants: Norwegian Counselor, Mr. Lars J. Jorstad;
Norwegian Assistant Air Attaché, Captain Morten
Krog;
Mr. A. A. Berle, Jr.

The Norwegian Counselor of Embassy came in with his Air Attaché to ask whether I could give him further background on the proposed international aviation conference. I told him that a copy of the invitation had been sent to his Embassy as well as to the Norwegian Government in London, and I gave him a copy of the press release quoting the invitation. I told him that, as we saw it, the work of the conference really would divide into three main heads:

(1) The work of reaching provisional agreement so that air services could be inaugurated promptly on the collapse of Germany, in an amicable manner. This would mean agreeing on provisional routes and landing rights and corresponding transit rights.

(2) The work of agreeing on general principles which might govern:

- (a) The drafting of an air navigation agreement; and
- (b) The setting up of any international civil air organization which might be agreed upon.

The principles agreed upon at the conference should serve as the terms of reference to an interim council or committee which should be set up for continuing consultation during the transition period.

(3) Agreement by the conference on principles with regard to co-operation in technical matters, such as aids to navigation, quarantine, customs regulations, and so forth, in respect of which uniform arrangements were either absolutely necessary (e.g., landing signals) or highly desirable for convenience and speed (e.g., quarantine). The work of drafting this would likewise be left to the interim council or committee.

Finally, I said that the interim council or committee could be charged with the duty of continuing to gather facts and report regularly to the constituted governments during the transition period, and might be used for consultative purposes to handle problems during this period. I stressed the fact that one of our difficulties in this field was absence of experience, since prewar experience plainly was no guide to air commerce in the postwar era.

The Counselor asked whether this canceled a tentative plan which had been suggested to him for an intermediate conference of twelve or fifteen nations principally interested in air. I said that it did. A suggestion for an intermediate conference had proceeded from the British; but when we undertook to work it out we found that

so many people would have to be included, particularly if routes were to be opened in Europe, that it was no more difficult to hold a general world conference.

The Air Attaché said that he thought the general plan we had worked out was entirely logical. They had been doing some thinking about it and had come to about the same conclusions, and that his Government was glad we were getting started. He asked whether we would be prepared to discuss North Atlantic routes at the conference. I said I did not see how the question could be left out.

The Counselor asked whether this would be primarily technical or whether it would also be political—this for guidance in making up a delegation. I said that each government would naturally want to provide for handling the interests it considered most important; as we saw it here, the problem was partly technical and commercial, but it would also include certain major questions of political relationship. This, at least, was the position taken by a number of countries, such as Australia, New Zealand, and Great Britain.

The Counselor then asked whether any international air organization which might be worked out was to be related to the security organization being worked out at Dumbarton Oaks. I said it was a little premature to ask that question, until the Dumbarton Oaks agreements were concluded. As I saw it, we had to work out an air organization which could sit on its own bottom in any event; but I thought it might very well become logical to arrange for its relation to over-all world organization as and when that should take form. The problem obviously could not be solved now.

We had some general discussion about whether a world authority, if formed, should have regulatory powers in its own right, or whether it should be consultative. I gathered the Norwegian Government favored the latter. I told them this was the position we had taken and so also had the Soviet Union.

A. A. B[ERLE], JR.

800.796/9-1544 : Telegram

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

LONDON, September 15, 1944—8 p. m.

[Received 9:23 p. m.]

7619. The editorial quoted in the Embassy's telegram number 7617 of September 15⁷⁸ is considered to be highly significant both because of its liberal approach to the air and because it appears in the *Daily Express*, Lord Beaverbrook's newspaper. It is understood that when

⁷⁸ Not printed; the editorial it quoted appeared in the September 15 issue of the *Daily Express*.

Lord Beaverbrook returned from his recent trip to the United States, he reported that it was now certain that the United States would not follow a monopoly or chosen instrument position in international aviation. This was widely believed in any case, but as the Embassy has frequently reported, there has existed strong influence in and out of the Government in favor of an arrangement between a chosen instrument in the United States and a similar one in England for the division or at least major control of international flying. As long as a reasonable possibility existed that there might be a chosen instrument in the United States with which such an arrangement or gentleman's agreement could be reached, it was not possible for those in favor of opening British international aviation to competition to have the Government openly support or admit their views. The publication of the President's letter to Secretary Hull on cartels⁷⁹ which is regarded here as very much including the air, and Secretary Hull's letter to Senator Bailey on the Department's position with respect to competition in United States international aviation, has greatly strengthened the hands of those opposed to the BOAC monopoly and a possible cartel type of arrangement between a United States and a British chosen instrument. We are informed that Lord Beaverbrook has again been actively but quietly encouraging the shippers, the railways and others to present more detailed plans for their proposed air services (which have been delayed by the inability of the various groups to get together). It is expected that soon after the reconvening of Parliament on September 26 civil aviation will again be debated, and it is rumored that this time the Government will definitely state that two or three separate British groups will be permitted to engage in international aviation, when they have landing rights, aircraft, crews, et cetera. There is some talk that BOAC will be dissolved but this is considered unlikely although important reorganizations in the company may take place.

WINANT

800.796/9-1644 : Telegram

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

WASHINGTON, September 16, 1944—midnight.

7562. Depts circular telegram of September 11.⁸⁰ Argentina was one of the few countries not invited to the international civil aviation conference.

⁷⁹ Released to the press on September 8, 1944, Department of State *Bulletin*, September 10, 1944, p. 254.

⁸⁰ Not printed; it transmitted text of invitation to the International Civil Aviation Conference (800.796/9-1144).

In the event that Argentina solicits British support in endeavoring to obtain an invitation to the conference, please obtain informal concurrence and support of the British authorities in withholding such an invitation.

HULL

800.796/9-1844

*Memorandum of Conversation, by the Chief of the Division of
Eastern European Affairs (Durbrow)*

[WASHINGTON,] September 18, 1944.

The Latvian Minister ^{80a} called on September 16, 1944, at his request and, among other questions he raised, he asked whether I was familiar with the invitation which had recently been extended to some fifty nations to attend an aviation conference.

The Minister stated that he had no official information on the subject, but had noted in the paper and heard on the radio that all countries in the world except for the three Baltic states and Argentina had been invited to attend this conference.

He asked me to look into the matter and explained that, under the full powers granted to the Latvian Minister in London, he, the Latvian Minister here, is authorized to attend international conferences as the representative of his country. He therefore expressed the hope that, if it would not be possible to have a Latvian delegate present at the conference, at least authorization might be given to have a Latvian observer there.

I explained to the Minister that I had just returned from leave and therefore did not know any details regarding the proposed conference. I said I would look into the matter.

800.796/9-1844

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] September 18, 1944.

Colonel Revoredo, Air Attaché of the Peruvian Embassy, called, at his request, to discuss the International Aviation Conference. The Ambassador had also made an appointment to call but was indisposed.

I explained to Colonel Revoredo the objects of the Conference, elaborating somewhat on the matters discussed in the invitation and went on to explain to him the difference of views which exist with respect to the power which might be granted to an international authority. He said, in his opinion, Peru would view this situation as

^{80a} Alfred Bilmanis.

we do and would not be in favor of granting authority in the economic field to an international body.

He asked particularly whether the problem of domestic operator and feeder lines would be taken up at the Conference. I told him I did not think so, as we feel domestic aviation is a matter for each nation to settle for itself but, of course, we are always ready to advise or assist in any way that we can.

He said that he was much interested in having the Peruvian Aviation authorities better informed on matters of air regulations, standards and so forth, and asked how he could proceed towards this objective. I suggested that he have a talk with Mr. Stanton of the Civil Aeronautics Administration and told him that the CAA are making information with regard to our own organization and American procedure available to the officials of a number of countries and I was sure they would be very glad to include Peru. Colonel Revoredo said he hoped his Government would ask for a mission of experts from the CAA to go to Peru and show them how to proceed along American lines. I offered to try to arrange an appointment with Mr. Stanton but Colonel Revoredo said that he was well acquainted and that he could handle this matter himself.

S. W. MORGAN

800.796/9-1844

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] September 18, 1944.

The Iranian Minister ^{80b} called to see me, at his request, to discuss the International Aviation Conference. I outlined to him our position with respect to the various subjects which are to come up for discussion and also gave him a copy of our "Summary of Objectives" which I told him had been submitted as a basis of discussion at the various exploratory talks which we had already held. I said that this was an informal document prepared on the technical level.

He seemed particularly concerned lest an attempt be made in the forthcoming Conference to fix a rigid network of air routes, emphasizing the fact that his country, for example, could not tell at this time what it might wish to do in the aviation field. I assured him that it was not our desire to have this network "frozen" at the present time. We were primarily interested in seeing international aviation established on a widespread basis as soon as possible to meet the requirements of the world for such services and that there would certainly be changes and developments based on experience and future planning.

^{80b} Mohammed Shayesteh.

This appeared to satisfy him and he said that they would keep in touch with us.

He was unable to say whether his Government would be represented but I gathered that he expected it would be, probably by himself.

S. W. MORGAN

800.796/9-1244

The Assistant Secretary of State (Berle) to the Delegate of the French Committee of National Liberation (Hoppenot)

WASHINGTON, September 19, 1944.

MY DEAR MR. HOPPENOT: I have received your letter of September 12, 1944,⁸¹ replying to our invitation to the French Delegation to hold exploratory talks on the subject of post-war civil aviation and note that for reasons which are quite understandable, it has been impossible for the Delegation to enter upon these discussions up to this time.

In the meantime, as you no doubt are aware, on September 11, 1944, the United States Government issued an invitation to a large number of nations to attend a Conference on International Civil Aviation to be held in the United States beginning November 1st next. Such an invitation was extended to the French Delegation and we sincerely hope that France will be represented at that Conference. In the light of these developments, it is probably of less importance that the preliminary exploratory talks be held. However, if you are able to assemble in Washington, in advance of the Conference, the people whom you would like to have explore informally some of these questions with us, we shall be glad to confer with them along the lines of our original suggestion.

Sincerely yours,

A. A. BERLE, JR.

800.796/9-1944 : Telegram

The Secretary of State to the Ambassador in Mexico (Messersmith)

WASHINGTON, September 19, 1944—5 p. m.

1730. The Civil Aeronautics Authority states that since an International Conference on Aviation is to be held in the United States beginning November 1, which it is expected will be attended by a Mexican Delegation, it seems appropriate to suggest to the Mexicans that the Technical Conference, subject of the Department's instruction number 6248, September 12,⁸² should be abandoned for the present

⁸¹ Not printed.

⁸² Not printed; it contained information that the Civil Aeronautics Administration was prepared to hold a conference of United States and Mexican technical experts in Mexico City sometime during October, at a date agreeable to Mexican authorities (812.796/8-2544).

and a discussion in this country in conjunction with the International Conference should be substituted therefor.

Kindly convey above suggestion to the Mexican authorities and advise Department of their reply.⁸³

HULL

800.796/9-2144

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] September 21, 1944.

Commander Dahl⁸⁴ called at his request to give me some information in strictest confidence. He said that the British Government was much upset because we had not invited Argentina to the international aviation conference. As a result, he informed me, the British Ambassador has been instructed by the Foreign Office to call upon the Secretary and make a strong plea for the inclusion of Argentina.⁸⁵

I told Commander Dahl that while I could not, of course, say what reply the Secretary would make to the Ambassador, I wondered what the attitude of the British Government would be towards the conference if the Secretary did not see his way to agree to such a request. Commander Dahl said that while he thought it unthinkable that the British would not attend the conference if Argentina was not included, he felt that there would be a good deal of dissatisfaction which would probably be reflected in difficulties and complications, possibly a request for postponement, etc. I told him this would be most unfortunate and I would be very much surprised if the British, out of their concern for Argentina, found it impossible to cooperate with the 53 other nations in trying to develop post-war aviation along the lines which are so urgently needed.

Commander Dahl also made the following observations: That the British were dissatisfied because we had invited Eire and not Argentina; and also that we had invited Thailand, which Great Britain does not recognize. I pointed out to him that we had simply invited the Thai Minister in his personal capacity, just as we had invited the Danish Minister.

I gathered that Commander Dahl's motive in visiting me was simply to have the information passed on, perhaps in the hope that some consideration would be given in advance of the Ambassador's

⁸³ Telegram 3940, October 30, 1944, from Mexico City, reported that the Mexican Government was in agreement with the Department's suggestion (812.796/10-3044).

⁸⁴ Wing Commander Raoul Dahl, former Assistant Air Attaché of the British Embassy at Washington, was in the United States at this time on a new assignment relating entirely to security matters.

⁸⁵ No record of conversation with British Ambassador has been found in Department files.

call to the possibility of changing policy or in the hope that some formula might be worked out for a reply to the Ambassador which would not be too uncompromising.

S. W. MORGAN

800.796/9-2544

*The American Representative on the Advisory Council for Italy
(Kirk) to the Secretary of State*

No. 366

ROME, September 25, 1944.

[Received October 13.]

SIR: With reference to previous requests from the Italian Government for participation in international conferences, I have the honor to transmit herewith a copy of a letter⁸⁶ addressed to me on September 20 by the Undersecretary for Foreign Affairs requesting that the Italian Government be invited to participate in an international aviation conference which he states will be held in Washington during November.

I shall be glad to be informed of the Department's wishes as to the nature of the reply which I may make to the Undersecretary.⁸⁷

Respectfully yours,

A. KIRK

[On September 26, 1944, the Department of State transmitted to the appropriate governments and authorities a proposed agenda for the International Civil Aviation Conference. For text, see Department of State *Bulletin*, October 1, 1944, pages 349-350.]

841.796/9-2744

*The Canadian Embassy to the Department of State*⁸⁸

MEMORANDUM

Exploratory discussions between officials of the governments of the British Commonwealth will take place in Canada in the latter part of October to consider operational and technical problems connected with possible air routes between the members of the Commonwealth. These discussions were agreed upon, though not announced, before

⁸⁶ Not printed.

⁸⁷ Mr. Kirk was informed by telegram 371, November 1, 1944, 7 p. m., that the question of Italian participation had been referred to the President who had rejected the proposal and that the decision was based upon the subject of this particular conference and was not a reflection of general policy for participation of Italians in international conferences (800.796/10-1644).

⁸⁸ The Department acknowledged this memorandum on October 6, 1944.

the Government of the United States issued its invitations to an international conference on civil aviation. It is felt by the Commonwealth governments that these discussions between their officials on a non-committal basis will be helpful.

WASHINGTON, September 27, 1944.

800.796/10-2644

*The New Zealand Prime Minister (Fraser) to the Secretary of State*⁸⁹

WELLINGTON, 27 September, 1944.

MY DEAR SECRETARY OF STATE: I have to refer to the discussions which took place during my visit to Washington in July last with Mr. Grew, Mr. Berle and other representatives of the United States Government concerning the future development of Civil Aviation, and to the copy which was then handed to me of the summary dated 24th March of objectives favoured by the United States of America with respect to post-war civil air transport. To this was attached a copy of a draft form of bilateral agreement relating to the operation of international air transport services.

I informed Mr. Grew and the other representatives of the United States Government at this meeting that the summary of objectives would be considered and that I would later inform you in writing of my views.

The New Zealand Government have given careful consideration to the basis on which air services on international routes should be operated and their conclusions are, as I stated during the course of the meeting in Washington, as defined in the agreement made at Canberra in January of this year between the Australian and New Zealand Governments. As a first principle, the New Zealand Government hold the view that air services on international air trunk routes should be operated by an international air transport authority, which would own the aircraft employed on these services and ancillary equipment. It has become evident in the period which has elapsed since the publication of this agreement that the principle of international operation of trunk air routes may not prove wholly acceptable and as an alternative the New Zealand Government support a system whereby air services on international trunk routes would be developed and operated under the control of an international authority which should be established as soon as possible. This authority should possess regulatory powers in the technical and economic fields. Within the framework of such an authority, the

⁸⁹ Transmitted to the Department by the New Zealand Legation in covering memorandum dated October 26, 1944.

New Zealand Government would be willing to subscribe to the grant to all signatory powers of the four following freedoms of the air:—

- (a) The right to innocent passage.
- (b) The right to land for emergency, refueling, etc.
- (c) The right to disembark passengers, etc. from the aircraft's own country of origin.
- (d) The right to embark passengers, etc. for the aircraft's own country of origin.

A system of international co-operation on the lines suggested above would afford equal opportunity to the air carriers of all nations, in accordance with some such principle as traffic interest, and ensure that with full recognition of the needs of security, air services were operated with appropriate regard to the national interests and needs of all States.

Subject to the principles outlined, the New Zealand Government find themselves in agreement with many of the objectives stated in the paper dated 24th March submitted by your delegation. The forthcoming conference to be held in the United States of America commencing on the 1st November next, will afford opportunity for consideration in detail of the objectives favoured by the United States and other interested Governments and the New Zealand delegation to this Conference will be in a position to state and discuss the views of the New Zealand Government.

I should like to say in conclusion how much I valued the opportunity which my visit to America gave me for discussions on the subject of civil aviation and I am hopeful that the forthcoming conference to be held in your country will yield an agreement which will ensure that air services on international trunk routes are operated on an orderly and equitable basis.

Yours sincerely,

P. FRASER

800.796/9-2944 : Telegram

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

LONDON, September 29, 1944—9 p. m.
[Received 11:59 p. m.]

8165. Referring to the Department's circular of September 11, 1944,⁹⁰ following reply has been received from the Foreign Office on behalf of the British Government:

"In your letter of September 14 you were good enough to send me an invitation to attend an international conference on civil aviation.

⁹⁰ Not printed; it transmitted text of invitation to the International Civil Aviation Conference (800.796/9-1144).

This invitation has been considered by the Cabinet and I am authorized to convey to you the following reply:

1. His Majesty's Government in the United Kingdom welcome the United States proposal to assemble an international conference on civil aviation, to begin in the United States on or about November 1, and will be pleased to arrange to be represented.

2. His Majesty's Government have read with interest the statement of objectives enclosed with Mr. Winant's letter and note that a formal agenda is being prepared.

3. Pending the receipt of the agenda His Majesty's Government have no detailed comments to make, but would take the opportunity to reaffirm their adherence to the view that it should be a first objective [in any discussions] of international cooperation to endeavor to establish, as soon as possible, an international authority with effective powers to regulate both the technical and economic aspects of postwar international air transport. His Majesty's Government will, therefore, advocate, in any discussion of the principles to be followed in setting up a permanent international aeronautical body, the adoption of the general plan discussed between Mr. Berle and Lord Beaverbrook during the talks in London in April last.

4. As a corollary, any arrangements made to cover the period until the end of hostilities should be on a purely temporary basis pending the conclusion of a long-term international agreement; and such temporary facilities as are granted should be on a reciprocal basis and subject to agreement on (1) the allocation of routes, (2) frequencies, and (3) rates of carriage."

WINANT

800.796/10-344: Telegram

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

LONDON, October 3, 1944—2 p. m.
[Received October 3—12:33 p. m.]

8267. Intense activity on the part of all of the various elements in and out of the Government interested in civil aviation has given rise to numerous rumors of which the following stand out.

(1) Lord Londonderry will initiate a debate on civil aviation in the House of Lords on October 5. Lord Beaverbrook will reply.

(2) It is expected that the Government may announce the interim appointment of an Under Secretary of State for Civil Aviation. Aviation people do not look upon this stopgap with favor and are expected to increase their agitation for a separate Ministry for Civil Aviation or at least its removal from the Air Ministry.

(3) Rumors have been current that Lord Beaverbrook would resign his connection with civil aviation practically continuously since his appointment, but at present they are more widespread than ever. If an Under Secretary of Civil Aviation is appointed there would seem to be no logical work left in aviation for Lord Beaverbrook.

(4) It is not expected that the Government will in the immediate future announce definitely the end of the chosen instrument policy. It is expected, however, that consideration will be given to requesting shipping companies, the railways and others to get together to accept responsibility for running three or four major air routes.

(5) Aviation circles consider it unlikely that the Government will announce the stand it will take at the forthcoming international conference until it has met informally with the Dominions in Ottawa. This meeting is expected to take place 10 days or a week prior to the International Conference. The degree of firmness with which the British Government will be prepared to stand behind its advocacy of tight international control will be determined by the final result of its efforts to persuade the Dominions and important European nations to support its position. (The methods of persuasion are, of course, varied and complex but the basis is a portrayal of Great Britain as protecting the other nations from the overwhelming might and announced intentions of United States civil aviation.)

Active and able London correspondents of *Aviation Daily* are believed to be resorting [*reporting?*] much of the foregoing. Apparently they do not yet know, however, of the nature of the British Government's replies to the United States invitation to the November conference.

WINANT

800.796/10-344 : Telegram

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

LONDON, October 3, 1944—5 p. m.

[Received October 3—3:55 p. m.]

8271. ReEmbs 8267, October 3, 2 p. m. It has just been decided to postpone the debate on civil aviation in the House of Lords scheduled for October 5 to October 12. It is understood that the Government after further considering the demand for a definition of policy which Lord Londonderry was to make on October 5, and after learning from him that he, as spokesman for aviation groups, would not be satisfied with the partial measures mentioned in the Embassy's 8267, requested that the debate be postponed 2 weeks during which time every effort would be made to come to a decision on civil aviation policy. Lord Londonderry agreed to this, but on the basis of 1 week's postponement.

It is possible that within the next week the Government may discontinue its present stopgap plan of announcing the appointment of an Under Secretary of State for Civil Aviation and make a definite decision in favor of either a separate Ministry for Civil Aviation or, in

any case, removing it from the Air Ministry. It is also possible that during the next week the various factions will be able to agree upon a definite statement concerning the repeal of the BOAC act and the abandonment of the chosen instrument.

WINANT

800.796/9-2944 : Telegram

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

WASHINGTON, October 4, 1944—1 p. m.

8104. To prevent any possible misunderstanding with respect to the terms of the British acceptance of the invitation to the international civil aviation conference, please take an appropriate opportunity to state informally that this Government is very happy to receive the acceptance conveyed in your telegram 8165, September 29, 9 p. m., and with respect to paragraphs 3 and 4 of the British reply, this Government understands that these are intended as a statement of the objectives of the British Government and an intimation of the position which will be assumed by the British delegation during the deliberations of the conference. The British have, of course, already been informed of the objectives and the position of this Government during the exploratory talks between Assistant Secretary Berle and Lord Beaverbrook. You may informally advise the British that there is no fundamental change in the objectives and position which will be advocated by the American delegates at the conference.

HULL

841.796/10-444

The Ambassador in Canada (Atherton) to the Secretary of State

No. 1527

OTTAWA, October 4, 1944.

[Received October 7.]

SIR: I have the honor to report that Prime Minister Mackenzie King announced last evening that officials of British Commonwealth governments would meet in Montreal beginning October 23rd to discuss the establishment of inter-Empire air routes. Operational and technical problems will be discussed in connection with post-war air services and also routes which may be operated during wartime.

It is expected that the conference will put forward certain recommendations for consideration by the respective governments. Decisions on matters of policy, it is stated, will not be made. This conference precedes by about a week the Air Conference scheduled to be held in Washington and it seems likely that its chief aim will, in

fact, be to harmonize the views of the various units of the British Empire.

Respectfully yours,

For the Ambassador:
ROBERT ENGLISH
Second Secretary of Embassy

800.796/10-444

*The Civil Air Attaché in the United Kingdom (Satterthwaite) to the
Secretary of State*

LONDON, October 4, 1944.

[Received October 23.]

SIR: I have the honor to report that aviation circles in England have become increasingly aware, and disturbed by, the fact that during the last few months the United States has apparently made much greater progress toward settling both the domestic and international aspects of its aviation policy than has England. Instead of catching up, the English are falling further behind.

Until fairly recently the Government apparently did not believe that the United States would be in a position to call an international aviation conference during the period six weeks prior or six weeks after the elections. When the United States Government informed the British Government that it could not agree to refrain from negotiating bilateral air transport agreements with other countries prior to an international conference, and when the British Government suggested that a conference be held immediately, it was expected here that no full dress conference could be had until some time after the first of the year. It was hoped, however, that a conference of 13 or 14 nations, including all the dominions, could be held to settle some of the more pressing problems. It was generally believed that the nations present at this conference would be more in accord with the British views of rather strict control of international aviation than with the more liberal concept advocated by the United States. British Government officials seem to feel that there is a fair chance that the dominions and the other nations which expect to engage importantly in international aviation such as Holland, Belgium, France and Sweden, will be motivated more by a fear of the power of the United States civil aviation, unless checked, than they will by a confidence in their own ability to stay in the air under relatively free competition. Various elements in and out of the British Government, principally B.O.A.C., are doing their best to convince these countries that they need guarantees—at the expense of the United States. The British seem to feel that there is a good

possibility that the other nations—those who do not expect, for the time being at least, to engage in large scale international air transport, will be more inclined to favor a system which is likely to generate the maximum traffic through and to their countries regardless of nationality. The British also feel that most of the American republics will, for other than solely air reasons, side with the United States. For these reasons there exists the feeling that England has been out-manuevered in the timing, number of countries and general scope (as outlined in the invitation) of the conference. This has been reflected officially in the British reply to the invitation, which reverts strongly to their position of tight international and economic control of the air. It is also reflected in Foreign Office annoyance over the exclusion of the Argentine and the inclusion of Eire. In one form or another British civil aviation policy so far expressing itself in action, has been designed to hold back the United States in the air as much and as long as possible in the hope that British aviation will some day be able to meet it. Although it will be years before British airplanes will be able to match even currently produced United States models, there still exists a vague hope that the world's aviation can be held back until the British catch up.

Most of the English who understand civil aviation other than as a policy concept, seem to be fully aware that it would be impossible and thoroughly undesirable to hold back international aviation until Great Britain was ready with its own airplanes. They do feel, however, that Great Britain is so far behind the United States it will never catch up, or even be able to survive at all in the air under any kind of competitive system unless it receives a great deal of help during the early stages from the United States, principally, of course, equipment. There is some fear that the equipment they will be able to obtain from us will be slightly behind whatever we are using at the moment; thus they will obtain C-54's at the same time our international airlines are beginning to get Constellations or DC-6's and 7's. There is also some apprehension that even if they get the same types, they will not get the latest modifications and improvements.

There is practically no one in the aviation world, including many Government officials, who is not dissatisfied with the state of British aviation and the Government's over-all attitude toward it. This dissatisfaction and ferment gives rise to an ever increasing stream of rumor. Ever since Lord Beaverbrook took office there have been almost daily rumors that he would soon resign. These rumors are now more positive and even more frequent. It is stated that Lord Beaverbrook is disillusioned and annoyed by his inability to bring about a decision on the chosen instrument and his failure to co-ordinate the British Government behind a positive policy. The

aviation world, while fully understanding the reasons involved, is nonetheless discouraged by the so far unwillingness of the Government to risk a split between the Labor and Conservative parties on the politically incendiary question of aviation. Since the Government apparently is unwilling to take a completely firm stand on the various questions, particularly that of the repeal of the B.O.A.C. Act and permit the Government to aid other groups wishing to engage in international air transport, it is said that Lord Londonderry only agreed to postpone for one week the debate in the House of Lords on the promise that the Government would make a statement that "said something."

If the complicated general policy questions involved do not permit a reasonably clear decision in major British aviation policy prior to the international conference in November, it is probable that England will take a holding and delaying attitude to the limit that can be done without seriously threatening the over-all relations between it and the United States.

Respectfully yours,

LIVINGSTON SATTERTHWAITE

800.796/10-644 : Telegram

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

LONDON, October 6, 1944—5 p. m.

[Received October 6—2:52 p. m.]

8896. ReDepts 8104, October 4, 1 p. m. The Foreign Office confirmed this morning that paragraphs 3 and 4 of the British reply to the invitation to the International Civil Aviation Conference were intended as a statement of the British objectives and of the position which they will assume during the Conference.

WINANT

800.796/10-744

Memorandum of Telephone Conversation, by the Chief of the Division of British Commonwealth Affairs (Hickerson)

[WASHINGTON,] October 7, 1944.

Mr. Paul Gore-Booth, First Secretary of the British Embassy, called me on the telephone late yesterday afternoon and referred to his conversation with me on October 2⁹¹ in regard to the invitation to Ireland to attend the Civil Aviation Conference. Mr. Gore-Booth said that the British Embassy had received further information from the Foreign Office which clarified somewhat this matter which had

⁹¹ Memorandum of conversation not printed.

been obscure to him as well as to me when we talked before. He said the Foreign Office feels that if all of the neutral countries had been invited to the Conference without discrimination they would of course have had no observations to make in respect to Ireland. Not all neutrals were however invited. One neutral country quite important to civil aviation, that is Argentina he said, was not invited. In view of the problems presented to the British Government in consequence of Ireland's neutrality, the British Government would have been glad for an opportunity to comment in regard to an invitation to Ireland, even though they recognize the outstanding importance of Ireland in civil aviation matters. I told him that I had taken note of his comments. I inquired whether the British Embassy's further telegram indicated what observations the British Government would have made had we informed them of our intention to invite Ireland and he replied that it did not.

JOHN HICKERSON

841.796/10-944

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

[WASHINGTON,] October 9, 1944.

Mr. Michael Wright came in and we discussed civil aviation. I gave him the general draft of the plans we have had for civil aviation much as they have been given to others. I likewise inquired what the change in civil air authorities in England might mean. I said I had heard on the radio that Lord Swinton had become Minister of Aviation, leaving Beaverbrook out. Wright said that Beaverbrook had entered civil aviation believing that it could be triumphant[ly?] and quickly done; actually it had proved difficult and thorny, and he had been trying to drop it. He had now succeeded. He thought there was no change in policy. I said rather gingerly that I was a little worried about Lord Swinton's appearance; that he had the reputation in some quarters here of being anti-American. (I did not indicate that that was substantiated by a good many reports from Africa.⁹²) Wright said he thought that was not true, and I said that those reports were easily circulated and frequently were unjust. My real wonder was whether the British doctrine had now gone in for a closed sky and exclusive arrangements, or whether they were maintaining the general cooperative understanding reached between Churchill and myself.

Wright said that he thought there would be no change in policy.

A. A. B[ERLE], JR.

⁹² Lord Swinton was British Cabinet Member in West Africa, 1942-1944.

800.796/10-1044 : Telegram

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

LONDON, October 10, 1944—9 p. m.

[Received October 11—2:35 a. m.]

8576. Henri Bouche, director French Institute Air Transportation, Locussol, Assistant Chief of Cabinet to Air Ministry, and Garnault, Legal Advisor, leaving about October 14, American Export Airlines for (1) preliminary aviation discussions, and (2) aviation conference. (They wished to leave October 11 but Embassy has not yet received Department's authorization to issue them visas.)

We feel, after a brief talk with Bouche, that French will agree on provisional basis to a liberal and extensive route pattern. Bouche emphasized the provisional nature of the French compliance for this type of agreement but seems to believe that the experience gained during the transitional period will form the basis of the permanent agreements. He remarked that we were no doubt aware that some other nations (unspecified) felt that the United States would seize the air during the transitional period when it alone had sufficient equipment and crews.

The French, Dutch and Belgians, and probably other European nations have been impressed by the story, assiduously being spread by Dennis Handover, Air Advisor to the Railways, that United States companies have plans to dominate all short range international European air traffic with clouds of converted C-47's which they will be able to obtain before anyone else. It might be useful to explain authoritatively in Washington at an early opportunity to the representatives of the European countries the probable nature and scope of the intra-European flying plans of U.S. airlines.

We are seeing Bouche before he leaves, but after he has had further conversations in London, and Briand, who is going to the conference but not to the preliminary discussions, and will telegraph further.

Sent to Department as 8576, repeated to Paris as 58.

WINANT

800.796/10-1144 : Telegram

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

Moscow, October 11, 1944—10 a. m.

[Received 1:12 p. m.]

3890. Re Department's circular, October 7, midnight.⁹³ I have not yet had a reply to my note of September 13 inviting the Soviet Gov-

⁹³ Not printed; it contained detailed arrangements for the Aviation Conference (800.796/10-744).

ernment to send a delegation to the Conference on Postwar Civil Aviation.

I have written again requesting an early indication as to whether the Soviet Government will find it possible to be represented at the Conference.

HARRIMAN

800.796/10-1144 : Telegram

*The Chargé Near the Norwegian Government in Exile (Schoenfeld)
to the Secretary of State*

LONDON, October 11, 1944—7 p. m.

[Received 9:20 p. m.]

25. From Satterthwaite. Norwegian delegation to Civil Air Conference composed of Alf Heum,⁹⁴ A. Schjodt⁹⁵ and K. Soemme⁹⁶ leaving about October 14 for Washington. They wish to engage in preliminary discussions at State Department prior to the Conference. Heum says that Thomas Olsen, who is now in Washington, will not represent the Norwegian Government in any way at the Conference. He added that Olsen was blocking progress on the formation of the Swedish, Norwegian, Danish Transatlantic airline. We feel, after talking at some length with Heum, that Norway's attitude toward international aviation is and will be influenced a great deal by the attitude of Sweden. Apparently, Heum feels disposed to follow in general United States' views, particularly in the setting up and activating immediately on a temporary basis a wide and frequently flown international air network. It is, of course, difficult to estimate how much British influence on Sweden, the pressure of which has increased recently, will be reflected in the Norwegian attitude. [Satterthwaite.]

[SCHOENFELD]

800.796/10-1144 : Telegram

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

LONDON, October 11, 1944—8 p. m.

[Received 9:34 p. m.]

8585. Masfield says nothing of "world shaking" consequence will develop in the debate on civil aviation in the House of Lords tomorrow; that Lord Beaverbrook will largely give an account of what he has done and turn over to Lord Swinton.

WINANT

⁹⁴ Maj. Alf Heum, R.N.A.F., Chief, Section for Civil Aviation, Norwegian Ministry for Defense.

⁹⁵ Annaeus Schjodt, Chairman, Norwegian Civil Aeronautics Board.

⁹⁶ Knud Soemme, Member, Board of Directors, Royal Norwegian Air Transport.

841.796/10-1244

The Ambassador in Canada (Atherton) to the Secretary of State

No. 1566

OTTAWA, October 12, 1944.

[Received October 19.]

SIR: I have the honor to report that an officer of the Department of External Affairs assured us today that the meeting in Montreal toward the end of this month of representatives of the Commonwealth Nations to discuss post-war civil aviation matters prior to the conference which is to open in Chicago November 1st was in no sense a move toward forming an Empire bloc at the conference.

He said that the Canadians, as well as some other members of the Commonwealth, had not had sufficient information to form definite decisions as to what routes should be operated and under what conditions. The meeting in Montreal, we were told, was to survey the operational problems in an effort to decide prior to the Chicago meeting what routes it was desired to fly and by whom. He assured us that discussions in Montreal would be on the official level and that no policy decisions would be made.

In the Pacific, for instance, the Canadians did not feel that they had enough information to determine the desirability of a Canadian service and they wished to get together with the Australians and New Zealanders to discuss informally their plans with an idea that it might possibly be desirable to establish a combined service.

The officer in the Department of External Affairs remarked that the British were still toying with the idea of an Empire organization but he insisted that Canada's position was still definitely opposed. Where circumstances seemed to warrant, he said, Canada would be willing to join with other members of the Commonwealth to operate joint services, but she was unwilling to place all of her international civil aviation services in one Empire basket. As we have previously reported, the Canadians contemplate operating a service over the North Atlantic and one to the Caribbean area. They fear that the Trans-Pacific service would be too costly if operated as a purely Canadian one and there is every evidence that they contemplate joining up with the Australians and New Zealanders for the operation of such a service.

Respectfully yours,

RAY ATHERTON

800.796/10-1444

*Memorandum of Conversation, by the Chief of the Aviation Division
(Morgan)*

[WASHINGTON,] October 14, 1944.

Mr. Milewski called at his request to inform me that he was to be one of the Polish delegates at the international aviation conference.

We discussed briefly the nature and objectives of the conference as I have discussed it with other representatives of foreign governments.

Mr. Milewski said that of course Poland was fully dependent upon obtaining aircraft from the United States to inaugurate any operations whatsoever. He stressed aircraft from the United States because he said the Polish airline LOT was very closely tied to the Lockheed Company, had used Lockheed aircraft exclusively before the war and, he felt confident, would continue to do so. I asked him whether he was referring now to the acquisition of surplus aircraft when such are released by the military authorities or to purchases to be made from the manufacturers when they are again permitted to make direct sales to private individuals. He said he was referring to the latter case. I explained to Mr. Milewski that the aircraft problem would go through three different phases: first, for the present and for some time to come there would be practically none available for commercial operators; second, at some undeterminable date surplus aircraft would be available and would be sold through the Surplus War Property Administrator to American and foreign domestic airlines; third, the period after the war when military restrictions were removed and manufacturers would deal directly with their customers abroad. Mr. Milewski said this was the period in which they were interested. I said I did not foresee any Government control over the contractual arrangements manufacturers made with their customers when that time came, and LOT would have to handle its problem directly with Lockheed or whoever they wished to purchase from. During the second period I said the disposal of surplus aircraft would be controlled by the Government and I was sure we would be glad to receive any applications on behalf of LOT and give them very sympathetic consideration.

I asked Mr. Milewski if he could tell me anything about the views of his Government with respect to the subjects to be discussed at the conference. He said he had no instructions and could only speak personally. In his personal opinion he thought that Poland would take the same position as the United States with respect to such powers as might be granted to an international body. Poland could not

expect to get very much through an international body on which it would very likely not be represented. He thought that Polish interests would be best served by negotiating directly with the United States and other countries which LOT might wish to serve. He said that of course the Polish position would have to be influenced somewhat by the Russian position. I told him that so far as we had been able to ascertain in our exploratory talks with the Russians, they were disposed to take the same view as the United States. He said that he felt sure that Poland would favor an international authority with regulatory powers in the technical field, but no more.

Mr. Milewski said that the Poles are much disappointed and somewhat concerned because Warsaw has not been included as a point of call on the proposed American-flag air routes. I explained to him that the determination of these routes and ports of call was primarily a function of the Civil Aeronautics Board, and I made an appointment for Mr. Milewski to see Mr. Welch Pogue to discuss this subject.

800.796/10-1844 : Telegram

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

LONDON, October 18, 1944—9 p. m.

[Received October 19—1:45 p. m.]

8909. The White Paper on civil aviation which was quoted in full in Embassy's 8858, October 17⁹⁷ has received practically no attention in aviation circles since it in no way changed or added to what was already well known concerning the Government's position. It is generally considered that it was issued by the Government as a defense against the constantly mounting criticism of its failure to define a policy.

Several members of Parliament expressed their annoyance at the appearance of a White Paper on civil aviation before adequate debate in the House of Commons. It is expected that there will be a demand that the subject be debated before Lord Swinton leaves for Chicago. (He is now expected to arrive in England October 22. He will not attend the Empire meeting.)

WINANT

⁹⁷ Telegram 8858 not printed; for text of White Paper, see British Cmd. 6561: *International Air Transport, Text of a White Paper Presented by the Secretary of State for Air to Parliament, by Command of His Majesty, October 1944.*

800.796/10-1844 : Telegram

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

LONDON, October 18, 1944—10 p. m.

[Received October 19—3:44 p. m.]

8911. There has been an increasing uneasiness in aviation circles that the fundamental difference of opinion between the United States and Great Britain in the degree of economic control over routes and frequencies to be entrusted to an international authority will cause a major and serious split between the United States and Great Britain at the Chicago conference. These persons feel that the British Government or, more specifically, those having to do with civil air policy do not fully appreciate the force of the desires of the United States to fly, and the political repercussions in the United States and on third countries, of a situation arising in which it might appear that Great Britain was preventing the United States from flying into its territory, or otherwise preventing the United States from a reasonable and full development of its international civil aviation. This is in spite of a general supposition that Mr. Churchill was advised at Quebec that one of the few things the United States wanted out of the war was the right to fly anywhere.

Hildred, who appreciates the position of the United States as well as his own country's, says he will present to Lord Swinton, when the latter returns about October 22, as a possible compromise, the following rough plan:

Each country operating on a route would be guaranteed the right to operate an agreed upon minimum number of frequencies and would be permitted to subsidize this minimum number to any extent it chose. Each country could only increase this number of frequencies by withdrawing all subsidy both for the original frequencies and the additional ones. Those efficient nations operating a route at a profit could fly as many frequencies on it as they chose, while less efficient nations would be assured that they could operate the minimum schedule agreed to, regardless of what it cost them. Presumably this principle might be agreed upon multilaterally, but the final determination of the routes and the number of frequencies on them considered an adequate minimum for each country might be done bilaterally. This arrangement would presuppose some control of minimum rates and machinery for their prompt adjustment to actual costs of the most efficient operator. It also assumes it is possible to reach an agreement on what is a subsidy. There is a good deal of belief here in

private aviation circles that some such arrangement ought to be acceptable in principle to those whose advocacy of tight controls is not motivated by a desire to hold U.S. aviation back, but by a recognition that some protection is needed if they are not to be pushed out of the air entirely by the United States.

Parrish's editorial in the October 1 *Aviation Daily* has received wide attention in aviation circles, and is taken to be pretty close to the official U.S. position.

WINANT

800.796/10-1944 : Telegram

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

Moscow, October 19, 1944—4 p. m.

[Received 4:50 p. m.]

3992. From Kennan. ReEmtel 3890, October 11, 10 a. m. The Embassy has received letter dated October 19 from Molotov with reference to Soviet participation in the Conference on Postwar Civil Aviation, the pertinent portion of which reads in paraphrase translation as follows:

"On the basis of preliminary conversations on questions of civil aviation between the Soviet and American delegations in Washington last summer, the Soviet Government had understood that the United Nations Conference which had heretofore been under discussion would concern itself with questions of civil aviation in the postwar period. It is evident from your letter of March 6 that the American Government was also proceeding on this assumption. In your above-mentioned note, however, the Soviet Government is invited not to a conference of the United Nations but to an international conference with European and Asiatic neutrals participating and not to a conference on questions of postwar civil aviation but on questions of civil aviation during the transitional or intermediate period. This formulation of the question is new to the Soviet Government. Furthermore, up to this time the Soviet Government has received no draft proposals or resolutions which will be submitted for consideration by the Conference, thereby excluding the possibility of sufficient preliminary preparation on the part of the Soviet delegation for participation in the Conference. The Soviet Government is nevertheless prepared to take part in this Conference. You will be informed subsequently of the composition of the Soviet delegation and the details requested in your letter of October 10 will be supplied."

A copy of the proposed agenda for the Conference was sent to the Foreign Office by the Embassy on October 18. [Kennan.]

HARRIMAN

841.796/10-2044

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

[WASHINGTON,] October 21, 1944.

Mr. Michael Wright came in to the office at his request and handed me the attached memorandum, not as an *aide-mémoire* but merely as an indication of what he was thinking about. He said it was clear to him that there was a head-on collision between the British insistence on power in an international body, and the American refusal to accept it, and that being so, a half-way house would have to be found. Though he did not say so, it was evident that someone in the British Foreign Office had cabled him indicating that the mere collision of views accomplished nothing, and that some compromise had to be found. (Note: This is exactly what Lord Beaverbrook told me when he was here, and conforms to the outline of the instructions Prime Minister Churchill gave Lord Beaverbrook in my presence.)

Passing to specific questions, Mr. Wright asked whether we would be prepared to accept a scheme of rate-fixing. I said we would be prepared to discuss a scheme of minimum rates. Mr. Wright then asked what international machinery could fix these rates. I said that our minds were open on this subject but that the most practical method appeared to me to be an operators' conference analogous to the so-called "conference rates" fixed by ship operators. Mr. Wright thought there might be objection to leaving so much power in private operators, and that Government intervention might be necessary. He thought that possibly an international body or committee might exercise such power. I said I thought that the best we could expect was that it should exercise its good offices—that is, possibly act as a forum in which such a conference could be held. Suppose, said Mr. Wright, they fail to agree. I said I thought the danger was that they would agree on rates that were too high. If ballasted by a general understanding that any country would discipline its lines if they indulged in rate wars, I thought we had power enough to deal with the situation.

He then asked about the limitation of frequencies. I said the American position was in favor of unlimited frequencies; though we would be prepared to discuss some method by which empty planes were not shuttled across the world at huge expense. "Could not an international body regulate these?" asked Mr. Wright. I said I thought not. If an arrangement were dependent on facts—as for instance, given a schedule of frequencies, anyone could increase his frequencies only after his planes ran full for say ninety days—the

increase in frequency would depend upon a fact, namely ninety days full loading. A central international organization might be the recipient of traffic reports which would determine these facts, just as the old ICAN^{97a} received traffic reports.

Mr. Wright then raised his third point: equitable distribution of frequencies. I said that this was a point I could not discuss intelligently because no one had remotely suggested what "equitable distribution" might mean. If it meant artificially attempting to shift traffic, we were against it, lock, stock, and barrel. If it meant that matters should be so handled that no one was excluded from the air and there was reasonable opportunity, that would mean something else. Our fear was that, under cover of equitable distribution of frequencies, there would simply be an attempt arbitrarily to divert traffic from the lines by which it wanted to travel to the lines of somebody else who wanted to make some money or serve his national interest by it.

Mr. Wright said he thought there might be some principles worked out. I said I thought so too, and if, instead of talking distribution of frequencies, we tried to talk actual facts, the subject would become less complicated. For instance, it might be agreed—and our theory was—that the routes had to be routes by which the country seeking them connected itself with other centers of traffic—rather than less flown routes by which planes of some country or other undertook to compete for traffic between a couple of other countries, and so forth. Again, when routes were asked from say New York to Athens via London and Paris, the frequencies of that route ought to be adjusted to the whole length of the route, and not stepped up for the sole purpose of permitting that line to gauge its activity by the heavy London-Paris traffic. I said that when these matters were actually worked out, I thought that the so-called equitable division ceased to be as much of a problem as it appeared.

To the question of how small countries were to be protected, I said that we had already stated our intention of making planes available on non-discriminatory terms. Thus no one was precluded from getting into the air by reason of our transient monopoly of planes; though I frankly would not consider this transient monopoly to amount to very much since other countries would certainly move as rapidly as they could.

Mr. Wright left saying that he thought that a little more work along these lines would probably make possible an understanding, and therewith we left it.

It was understood that the foregoing was entirely on a personal and exploratory basis.

^{97a} International Commission for Air Navigation.

Wright said that Magowan of the Embassy would be going out to the Air Conference.

A. A. B[ERLE], JR.

[Annex]

Memorandum by the Counselor of the British Embassy (Wright)

Lord Swinton's Appointment

Lord Swinton has been appointed independent minister with cabinet status to be responsible for policy and planning for the future both of internal and overseas civil aviation but responsibility for current administration will for the time being remain with the Secretary of State for Air. No change in policy of His Majesty's Government as outlined during the April discussions in London is implied.

Freedom of the Air

A country must have a directly attributable traffic interest in a route before it starts operating on it, e.g. at some point the territory of the state to which a national flag line belongs must generate traffic if the right of that air line to operate on the route is to be justified. Our view remains that first four freedoms of the air are indivisible and their institution universally must be conditional on an international settlement on the lines advocated in Mr. Balfour's report.

Montreal Conference

There is no intention on our part or so far as we are aware of other commonwealth countries to formulate any restrictive commonwealth plan. The Montreal conference will be mainly concerned with arrangements for operating Commonwealth trunk routes, e.g. the relative merits of parallel operation by national air lines as compared with partnership arrangements that have joint operating organisations. There are many other matters such as security and revision of existing intra-commonwealth agreements to be discussed.

Traffic Interest

The fundamental conceptions are (1) frequencies should be designed to secure equilibrium between capacity and traffic, (2) each country should be assigned a quota proportionate to tons, mileage, passengers and mails embarked in its territory. Equilibrium does not necessarily mean exact equivalence and we visualise that in the early years after the war frequencies will often require adjustment but there should always be a margin for contingencies over and above asserted capacity required to carry traffic on a route. This margin would vary from route to route. On the North Atlantic the expected variations of seasonal traffic might justify a generous margin. But the

important point is that this margin would enable the efficient operator to operate to full capacity at the expense of the inefficient. In short our proposals while providing for a reward for commercial efficiency ensure that particular countries can retain their position on routes in which they have a legitimate interest without calling on their tax payers for heavy subsidy.

WASHINGTON, October 20, 1944.

800.796/10-2144: Telegram

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

LONDON, October 21, 1944.

[Received October 21—9:24 p. m.]

9064. Captain Balfour replying to questions on civil aviation in the House of Commons yesterday said that the Government had endeavored to give a lead in the White Paper. They wanted to abandon subsidies as soon as practicable and provided that the process could be carried out by international agreement in such a way that this country was not at a disadvantage. The Government maintained that a nation should have sovereign rights of the air over its own territory. To put forward anything else at the Chicago conference would be like a lone voice crying in the wilderness. They wanted the maximum degree of freedom in the air. In the White Paper they had laid down the four freedoms and they wanted to see the world accept them. But they were not prepared to concede them except as they were part of an international regulatory system. At Chicago they wanted to see that the interests of the British Empire were adequately looked after.

The Dominions were in agreement with the policy which was to be put forward. A civil servant would lead the British delegation at the Montreal conference which was to be a conference at the official level. To the best of his knowledge Lord Swinton would be back in ample time to study the situation and to be present at the Chicago conference. The Government's proposals allowed subscription to an international convention to take any form a nation liked; it could have private enterprise or a state corporation. Lord Swinton would confer with whom he liked. As a Cabinet Minister he had had various papers supplied him and he would be right up to date when he arrived in this country and would have some days in hand to consult whom he wished.

There was no conception of the limitation of aircraft. They wanted some measure of agreed control of frequencies. The termination of frequencies would be based on a formula which had yet to be agreed on but the Government would like to see it based on a formula

taking into account traffic actual and potential but not based on the supply of available aircraft. There was no truth in the rumor referred to by Lady Apsley.⁹⁸ Construction of the aircraft in question was being proceeded with so far as diversion from the military effort would allow.

WINANT

800.796/10-2144

*Memorandum by the Assistant Secretary of State (Berle), of a
Conversation With the Danish Minister (Kauffmann)*

[WASHINGTON,] October 21, 1944.

Following a discussion of the Danish shipping compensation, I said I wished to talk for a moment about aviation. The British had taken the position, as set forth in their White Paper, that nothing should be done in the way of routes, etc., unless an international body was endowed with power to determine rates, frequencies, routes, etc. This was a proposition which we simply could not accept and the British knew this perfectly well. From our point of view indeed it was absurd to expect us or any other country to hand over a vital interest like air routes to an international body when no rules of law or principles or other arrangements had been suggested, and when apparently such a body would be composed of representatives of countries looking out for their own national interests and nothing else.

The Minister inquired whether I thought he ought to say anything on the subject at Chicago. I said there was no reason in the world why he should not, especially if his other Scandinavian colleagues were of like mind. My impression was that the Swedes agreed entirely with it, and I thought the Norwegians did too. The Minister said he was very clear that the Danish point of view did agree with ours.

A. A. B[ERLE], JR.

800.796/10-2344

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

[WASHINGTON,] October 23, 1944.

The Soviet Ambassador ^{98a} said that he would head the Russian air delegation, and that the men who took part in the air conversations

⁹⁸ i.e., that American opposition was preventing a British firm from building "a magnificent post-war civil air transport plane" for which plans had been ready for a year and which was "too far ahead of any design" that the Americans had. See *Parliamentary Debates*, House of Commons, 5th series, vol. 403, cols. 2760-2762.

^{98a} Andrey Andreyevich Gromyko.

before would be here as delegates except that General Petroff was not coming. He asked about the general organization of the Conference and I told him about the four committees. I also said that I would ask the office to send over the probable committee set-up as we would propose it.

The Ambassador asked whether we had any further information beyond what he already knew. I told him of the difference in opinion between the British and ourselves relating to world organization; and gave him the same general picture of the situation which we have been giving to everyone.

The Ambassador said he was entirely at our disposal if we wished to consult further before the Air Conference. He said it was his view that the Allies should cooperate in this Conference. I thanked him and said I would take advantage of that at an early opportunity. His general manner intimated that he hoped that we would have close working relations in this Conference.

At the close of the interview I told the Ambassador that the British had already opened negotiations to explore a method of compromise between their position and ours. The Ambassador asked what the reply was, and I told him that we had stuck on an international organization which should be consultative and fact-finding, and possibly even recommendatory, but that we were not prepared to go any farther than that, and indeed could not.

"In other words, you are staying on the same position you took during the conversations," said the Ambassador. I said we were.

A. A. B[ERLE], JR.

800.796/10-2344

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

[WASHINGTON,] October 23, 1944.

The Swiss Minister ^{98b} came in to see me at his request and he asked about the forthcoming Air Conference. I gave him the same general explanation which we have been giving other countries. I developed a little the division of opinion between the British and ourselves relating to an air authority. I told him that we simply could not see delegating this positive authority to a world organization in advance of the development of some system of law by which it should act.

I then asked what the views of the Swiss Government were. The Minister said he had no instructions as yet, but his own view was that the Swiss position would be very close to our own.

A. A. B[ERLE], JR.

^{98b} Charles Bruggmann.

800.796/10-2344 : Telegram

The Ambassador in Spain (Hayes) to the Secretary of State

MADRID, October 23, 1944—5 p. m.
[Received October 24—3:41 a. m.]

3550. According to information received in confidence from reliable source the Spanish delegation to Chicago Aviation Conference has been instructed to align itself in general with the United States when differences arise at Conference but it is also to act in unity with other nations not having gasoline or other aviation supply resources when questions concerning material and supplies are brought up. Delegation is to agree to international supervisory or consultative civil aviation organization but Spanish Government is to be advised regarding expenses and other details before commitments are made.

Delegation is also instructed to agree to Spanish collaboration with Portuguese in lines to Africa. With respect to Russians, Spanish delegates are to conduct themselves "naturally" and are to notify Spanish Government of any Russian proposals they may receive.

HAYES

800.796/10-2444

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

[WASHINGTON,] October 24, 1944.

The Norwegian Ambassador ^{88c} came in to see me at his request to say that he had been selected to head the Norwegian delegation to the forthcoming International Conference on Civil Aviation. He asked the general line of the Conference, and I gave him the same explanation I had given to others.

I then told him that apparently there was a disagreement between the British and ourselves as to the powers to be given an international authority. We thought that the situation was not right to be giving any international authority absolute power over vital national interests like our air routes, and I thought Norway would feel the same way about it. The Ambassador said that he thought they did and would probably support our position.

He then said that the one thing that was worrying them was the possibility that on provisional route openings, a neutral country which was ready and had planes could jump in ahead of countries which had fought the war and were not yet ready.

As he was plainly talking about Sweden, I waded right into it. I told him that I agreed with him and that if the Swedes talked to us about a route which would give them precedence over the Norwegians,

^{88c} Wilhelm Munthe de Morgenstierne.

my own suggestion would be that they get together with their Norwegian neighbors and so arrange that the advantages which Sweden had preserved through her neutrality would be made equally available to Norway until the Norwegians got ready to proceed. I thought that this was the more possible because I knew Norway, Sweden, and Denmark had been negotiating a possible combination of interests.

The Ambassador said that he thought this was an excellent solution.

He likewise asked whether, in order to get a good standing at Chicago, Norway ought to fire ahead and order new planes. I said that I thought this did not make any great difference since new types of planes would not be ready for some time to come, and probably during the interim period the principal supply of transport planes would be United States surplus army transport types. However, it could do no harm if his Government wanted to have an early position in new types which would not be in production for many months after the war.

A. A. B[ERLE], JR.

800.796/10-2444

Memorandum by Mr. Merritt N. Cootes, of the Division of Eastern European Affairs, to the Aviation Division

[WASHINGTON,] October 24, 1944.

The Counselor of the Soviet Embassy called to say that the Soviet delegation to the Civil Aviation Conference, which is to take place at Chicago, plan to arrive in the United States in a Soviet military plane. The plane, which left Moscow on October 22, is a C-47 type of the Red Army, no. 940.

The crew of the plane is as follows:

Grigori Stanislavovich Benkunski
Fedor Kondratevich Kudrenko
Nikolai Grigorevich Maksimenko
Alekssei Antonovich Malstev

The delegation consists of Nikolai Asilevich Novikov, Vice Chairman; Major Generals Aleksandr A. Avseevich, Pavel Fedorovich Berezin, Aleksandr Romanovich Perminov and Ivan Mikhailovich Makarov; and Lieutenant Colonel Mikhail Ivanovich Kokonin.

It would be appreciated if AD would issue the necessary permit for the plane to fly over United States territory and would request the War Department to make all of the usual arrangements for the proper reception of the plane when it arrives in Alaska.

M[ERRITT] N. C[OOTES]

(NOTE: The Embassy in Moscow has informed the Department that diplomatic visas have been issued to the members of the delegation and that official visas have been issued to the members of the crew.)

800.796/10-2644

The Soviet Ambassador (Gromyko) to the Secretary of State

[Translation]

WASHINGTON, 26 October, 1944.

YOUR EXCELLENCY: According to precise information received by the Soviet Government, in addition to other states, Switzerland, Spain, and Portugal have been invited to take part in the International Conference on Civil Aviation to be held in Chicago on November 1.

As is well known, the above-mentioned states, having adopted during the course of many years a hostile position in regard to the Soviet Union, do not have diplomatic relations with the U.S.S.R.

In view of this fact, the Presidium of the Supreme Soviet of the U.S.S.R., having heard the report of the Government in regard to the International Conference in Chicago, has turned down participation by the Soviet Union in this Conference. The Soviet Government hereby informs the Government of the United States that, in conformity with the above-mentioned decision of the Presidium of the Supreme Soviet of the U.S.S.R., the representatives of the U.S.S.R. will not be sent to the Conference in Chicago.

Accept [etc.]

A. GROMYKO

800.796/10-2644 : Telegram

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

WASHINGTON, October 26, 1944—7 p. m.

2528. In a note delivered by the Soviet Ambassador today the Soviet Government informs United States Government that Presidium of the Supreme Soviet has refused to permit the participation of the Soviet Union in the International Conference on Civil Aviation on the grounds of the attendance of Switzerland, Spain, and Portugal. The reason given in the note is that these three countries have during the course of many years adopted a hostile attitude towards the Soviet Union and do not have diplomatic relations with the U.S.S.R. In a conversation this afternoon with Mr. Berle, the Soviet Ambassador said that he had nothing to add to the instructions he had received and he doubted personally if any suggestion that Soviet delegation to the conference should remain as observers or even to remain in the United States to exchange views with other United Nations' delegates on aviation would be acceptable to his Government.

For your information. We are giving urgent consideration to a possible solution which will permit Soviet participation or at least avoid a public withdrawal by the Soviet Government from this con-

ference, and instructions will be sent to you within 24 hours. In the meantime, please inform the Foreign Office that this Government is considering the question and request them urgently not to order the delegation to return to the Soviet Union until the instructions referred to above have been presented by you. According to our information the Soviet delegation should reach Minneapolis tonight and could remain there pending clarification of this issue.

STETTINIUS

800.796/10-2744: Telegram

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

Moscow, October 27, 1944—2 p. m.

[Received October 27—9:43 a. m.]

4112. I have sent a letter to Molotov along the lines indicated in Department's 2528, October 26, 7 p. m.

Molotov's letter of October 19 to me,⁹⁹ while referring to the participation in the Conference of "neutral countries of Europe and Asia" as a new element for the Soviet Government, was categorical in the expression of the readiness of the Soviet Government to participate; and the fact that this expression was prefaced by the word "nevertheless" indicates that participation of those neutral countries was clearly envisaged when the Soviet Government accepted the invitation.

KENNAN

800.796/10-2644

The Acting Secretary of State to the Soviet Ambassador (Gromyko)

WASHINGTON, October 27, 1944.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of October 26, 1944 informing this Government that in conformity with the decision of the Presidium of the Supreme Soviet of the U.S.S.R. the Soviet Union will be unable to participate in the Conference on Civil Aviation to be held in Chicago on November 1 in view of the fact that Switzerland, Spain and Portugal, countries with which the Soviet Union does not have diplomatic relations, are to participate in this Conference.

I need hardly point out that, while the considerations set forth in Your Excellency's note are fully appreciated, the decision of the Soviet Government not to participate in this Conference is received with the greatest regret by my Government.

In extending the invitation to the European neutral countries including the three mentioned in Your Excellency's note this Govern-

⁹⁹ See telegram 3992, October 19, from Moscow, p. 562.

ment was guided by the obvious fact that, in view of the geographic location of these neutral nations, it would have been impossible adequately to discuss at an international conference matters relating to air routes and civil aviation in Europe without their participation. Since the invitation extended to the Soviet Government to participate in this Conference, which was delivered by the American Ambassador in Moscow to the People's Commissariat for Foreign Affairs on September 12, 1944 and conveyed to Your Excellency by a note dated September 13, 1944, stated that invitations were being extended to the Governments of "the European and Asiatic neutral nations in view of their close relationship to the expansion of air transport which may be expected along with the liberation of Europe" and that in the letter of acceptance of October 19, 1944, transmitted to the United States Ambassador in Moscow the People's Commissar for Foreign Affairs took note of the fact that such neutrals would be present, it was of course assumed that the Soviet Government was fully aware of the fact that the three nations in question would be represented at this Conference. Furthermore, the press release of the Department of State which appeared in the American press on September 12, 1944 listed by name the countries which had been invited to participate in the Conference in Chicago.

If your Government finds it impossible to reconsider its decision not to participate in this Conference, I venture to suggest that the group of Soviet experts on civil aviation now in the United States be instructed to remain in order to maintain liaison, without participation directly or indirectly in the work of the Conference, with officials of this Government and with those of the other United Nations on the subject of postwar civil aviation.

I trust that Your Excellency will not fail to communicate the foregoing views of this Government on the subject to the Soviet Government.

Accept [etc.]

EDWARD R. STETTINIUS, JR.

800.796/10-2744 : Telegram

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

WASHINGTON, October 27, 1944—8 p. m.

2536. Department's 2528, October 26, 7 p. m. After most careful consideration we have come to the conclusion that as regrettable as this decision is there is nothing that this Government can do at this late date to work out any solution which would permit Soviet participation. In view of the contents of the Soviet note which attributes

this reversal of position to a decision of the Presidium of the Supreme Soviet it is obvious that there is little if any chance of obtaining a reconsideration on the part of the Soviet Government. We are accordingly replying to the Soviet Ambassador here expressing our deep regret at this decision of the Soviet Government and at the same time pointing out that in the invitation extended to the Soviet Government, contained in the Department's circular telegram of September 11, 1944, and by note to the Soviet Ambassador here, it was specifically stated that the European neutral nations would be invited. In addition, it is pointed out that since the press release of the Department of State, which was published in the press here on September 12, listed by name the countries which had been invited and in its letter of acceptance of October 19, your 3992, October 19, 4 p. m., the Soviet Government made specific reference to the fact that European and Asiatic neutrals were to participate in the Conference, and [*sic*] it was of course assumed that the Soviet Government in accepting this invitation was fully aware of the fact that the three nations in question would be represented. The note also states that in extending the invitation to the three European neutral countries in question this Government was guided by the consideration of the impossibility of adequately discussing at an international conference matters relating to air routes and civil aviation in Europe without the participation of those countries in view of their geographic location. In conclusion, the note states that in the event the Soviet Government does not find it possible to reconsider its position in regard to the Conference, the United States Government hopes that the Soviet experts on civil aviation now in the United States be instructed to remain in order to maintain liaison for this purpose with officials of this Government and with those of the other United Nations on the subject of postwar civil aviation.

You are accordingly requested to seek an interview with Vyshinski ^{99a} and outline to him orally the position of this Government on this question as set forth in the above summary of the note to the Soviet Ambassador here. You should emphasize the reasons why this Government felt it necessary to include the three countries in question which as a result of their geographic position in Europe are essential factors in the establishment of any international civil air routes in Europe and should strongly urge that at least some members of the Soviet delegation now in the United States should remain in order to discuss, outside of the Conference, questions of civil aviation with officials of this Government and those of other Governments represented at the Conference, as may be desired.

Sent to Moscow ; repeated to London.

STETTINIUS

^{99a} A. Y. Vyshinski, First Assistant People's Commissar for Foreign Affairs.

800.796/10-2844 : Telegram

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

Moscow, October 28, 1944—8 p. m.

[Received 8:06 p. m.]

4141. ReDepts 2536, October 27, 8 p. m. I saw Vyshinski this afternoon and presented to him our Government's position with respect to Soviet withdrawal from the Civil Aviation Conference. I described to him in detail the importance in questions of civil aviation of those countries to whose participation his Government had taken offense and pointed out how impractical it would be to omit those countries from any discussions on this subject. I showed him a world map of proposed postwar civil aviation routes to demonstrate this point and to prove to him what serious technical considerations underlay our desire for the participation of those countries.

Vyshinski did not deny the validity of this argument but went ahead to describe the political considerations which made it impossible for them to sit down at a table with representatives of those countries. He maintained that they had not realized until just recently that those particular neutral countries were to be invited. He insisted that the press release of September 12 had only named certain neutrals which would not participate. I assured him that according to my information this was not so.

Vyshinski stated that he could not say whether the Soviet Government would consent to instruct the Soviet experts to remain for purposes of liaison. He undertook to give me the answer to this question as soon as possible. He said, however, that he doubted very much that this suggestion would commend itself to his Government. He spoke with bitterness of Spain whose troops had fought against the Soviet Union and even more so of Switzerland that "little country" which had the temerity to debate in its own mind whether to recognize a country like the Soviet Union. He considered it most improbable that the Soviet Government would consent to have its delegates wait "outside the door" while delegates of these neutral countries took part in the discussions. He added speaking personally that we were making a mistake in trying to effect its collaboration on so broad a basis, that we should draw a line around those countries which were really reliable partners and should base our plans and discussions for collaboration primarily on that sphere.

In parting I said that I was sure that he like myself was aware of the whole significance of this step on the part of his Government and of the heavy disappointment that it would cause to people in our country who had looked forward keenly to the prospect of promising

and profitable discussions with the Soviet delegates on this important subject. He replied in the affirmative.

KENNAN

841.796/10-2844

The Ambassador in Canada (Atherton) to the Secretary of State

No. 1648

OTTAWA, October 28, 1944.

[Received November 1.]

SIR: I have the honor to report the convening of a conference to discuss civil aviation matters attended by representatives of certain countries of the British Commonwealth at Montreal on October 23 preceding the international civil aviation conference at Chicago on November 1. Delegates totaled approximately fifty, and represented the United Kingdom (headed by Sir Arthur Street, permanent Under-secretary for Air), Australia (headed by A. S. Drakeford, Minister for Air and Civil Aviation), New Zealand, Newfoundland, India, South Africa, and Southern Rhodesia. Members of the Canadian delegation were reported in my telegram No. 50 of October 21.¹ In a press report from London it was stated that Eire was not invited because that country is neutral, and since wartime air routes would be under discussion representation by that country might be embarrassing to it. The presence of high ranking Air Force officers on some of the delegations led to the report that the conference would have a dual purpose—Air Force activities in the European and Far Eastern theaters of war, as well as post war civil aviation planning. It was explained, however, by one of the delegates that these officers were present only as advisers and that matters of a military nature would not be discussed.

It was reiterated that the conference was to be on a technical level. C. D. Howe, Minister of Reconstruction, who will lead the Canadian delegation at the Chicago meeting, did not attend the conference at Montreal. His place was taken by H. J. Symington, president of the Trans-Canada Air Lines, who was elected chairman of the meeting. In his address at the first plenary session, Mr. Symington remarked that the discussions were to be of technical problems at the "official" level and were for the purpose of exchanging views and agreeing upon recommendations relating to the operation of air services within the Commonwealth. He declared that "whatever may be agreed upon here must of course take its place within the framework of whatever organization may be agreed upon by the forthcoming international conference on civil aviation" and that no position would be taken

¹ Not printed.

"which might prejudice accomplishments in the larger field of a complete international authority".

The conversations have been clothed in strict secrecy. The report persisted that they dealt with the formulation of plans for an Empire air route. The Montreal press, in speculating on the general course of negotiations, forecast the achievement of two positive results: the recommendation by the delegates to their governments of the creation of a British flag air route to go into early operation and agreement upon definite plans for a consolidated Empire Air Transport Command absorbing the present military air routes, which, upon the termination of the war would be turned over to civilian use. It further reported that it was unlikely that Canada would participate in the agreement for a Dominion air service reached by her sister Dominions in view of the close relations with the United States in air matters and its unwillingness to enter any non-American bloc for any purpose or to give the appearance of entering such a group.

This report drew a denial from the Minister of Reconstruction that there has been any difference of opinion between the Canadian and other officials. He again emphasized that the conference was simply a meeting of experts, that the governments as such were not represented, and that matters of Empire air policy were not within the province of the meeting. His remarks that the central task of the conference was consideration of what routes were to be operated in the Empire, who was to operate them and under what conditions they were to be operated was, however, taken as confirmation that an Empire air route was being blueprinted. It was pointed out that while Canadian aspirations for an air service to the West Indies and thence to South America, where Canada hopes to expand her trade, would be dealt with at Chicago, the question of the operation of a North Atlantic service and of a joint route with Australia and New Zealand across the Pacific might properly be subjects for consideration in the conversations at Montreal. Likewise, the press reported that despite protests to the contrary there appears to be little doubt that an Empire Air Transport Command is being planned for immediate military purposes and as a basis perhaps for a post-war civil air route.

The foregoing presents in part certain speculation indulged in by the press during the course of the closely guarded conversations. The conference closed on October 27. Reports of the committees appointed at the first session were submitted to the final plenary session and were unanimously adopted; they go to the respective governments for study and review. A formal statement, the text of which is enclosed,² was issued to the press at the conclusion of the meeting.

² Enclosure not printed.

According to this communiqué, agreement was reached on the following points: (1) the importance of joining other nations in the immediate creation of an effective international air authority operating by means of permanent international air convention, (2) the desirability of the establishment of air services on routes connecting the various parts of the Commonwealth and Empire, charts for which were prepared, and (3) the desirability of establishing a standing Commonwealth air transport council for purposes of consultation and exchange of views among the various members of the Commonwealth. It was added that nothing done at this meeting would impair the freedom of action of the respective governments at the Chicago conference.

Judging from the text of this statement, there was no compromise reached between the various points of view represented at the conference; presumably New Zealand and Australia at Chicago will press for a strong international air authority to own and operate all main air routes, Great Britain for the principles set forth in its recent White Paper, and Canada for its more rigid draft convention. Agreement upon the desirability of setting up an international air authority was never in doubt, and in substance the situation appears to be that existing prior to the opening of the conference. The value, however, of these preliminary exchange of views between the nations of the Commonwealth should not be minimized, although the *Montreal Gazette* states that in view of the lack of concrete results it is difficult to see just what purpose the conference served.

The alternative proposal by Australia and New Zealand for the creation of an Empire air route was reduced to a unanimity of view regarding the desirability of establishing air services connecting the Commonwealth. The press reports one real achievement: the often expressed fear that the Commonwealth and the Empire were "ganging up" as a bloc to present a positive united point of view at Chicago was dissipated entirely. Nevertheless, the course of action to be followed at Chicago remains to be seen.

In the face of reported American reluctance to endow an international air organization with powers considered to be adequate by certain of the Dominions, it appears that Canada has again exercised its traditional role of intermediary between the American and Commonwealth points of view. In this instance Canada's position is a difficult one, for it finds that its developing aviation interests as a country secondary in importance in this sphere requires certain protection from unrestricted competition. It prefers the international rather than the imperial approach in resolving these matters

while recognizing that insistence upon bilateralism at Chicago would serve to reduce its importance in Empire councils.

Respectfully yours,

For the Ambassador:

LEWIS CLARK

First Secretary of Embassy

800.796/10-3044

The Soviet Ambassador (Gromyko) to the Acting Secretary of State

[Translation]

[WASHINGTON,] October 30, 1944.

DEAR MR. SECRETARY: In connection with your note of October 27 in which you outlined the views of the American Government on questions connected with the decision of the Presidium of the Supreme Soviet of the U.S.S.R. concerning the non-participation of the Soviet delegation in the international conference on questions of civil aviation in Chicago, I have the honor on instructions from the Soviet Government to communicate to you the following.

The Soviet Government does not find it possible to reconsider its decision on the non-participation of the delegation of the Soviet Government in the conference on questions of civil aviation in Chicago. The Soviet Government furthermore cannot leave its delegation in the United States since this would provide grounds to suppose that the Soviet delegation in fact is taking part in the above-mentioned conference but only in some kind of disguised and cowardly form.

In so far as the references contained in your note to the notes of the Government of the U.S.S.R. to the Department on the thirteenth of September and also the letter of the People's Commissar for Foreign Affairs, V. M. Molotov, of the nineteenth of October as a basis for the supposition that the Soviet Government in accepting the invitation to participate in the conference was fully informed of the fact that Switzerland, Spain and Portugal also had been invited to participate in this conference, I am unable to agree with the considerations expressed by you on this matter. It is sufficient to state that in the letter of the People's Commissar, V. M. Molotov, it was especially mentioned that the Soviet Government was to be invited by the Government of the United States of America to a conference of the United Nations and not to an international conference with the participation also of the neutral countries of Europe and Asia and that such a formulation of the question was entirely new to the Soviet Government. The Soviet Government nevertheless agreed to take

part in this conference, not supposing however that among the neutral countries invited to the conference could be such countries as Switzerland, Spain and Portugal which for many years have carried on a pro-fascist policy hostile to the Soviet Union.

Sincerely yours,

A. GROMYKO

800.796/10-3144

*The Latvian Minister (Bilmanis) to the Secretary of State*³

WASHINGTON, October 31, 1944.

SIR: According to information published in the Department of State *Bulletin*, volume 11 [XI], No. 273, dated September 17, 1944, page 298, an International Conference on Civil Aviation has been initiated by the Government of the United States and is to be opened on November 1, 1944. Until today no invitation has been extended to Latvia to participate in this Conference.

In this connection I wish to emphasize that:

1. Latvia, like other countries, has sovereign rights over the air over its territory;

2. Latvia is a transit country occupying an important geographical position in the northern part of Central Europe, lying on the cross-roads between West and East, North and South;

3. Until the outbreak of this war several international airlines operated over Latvian territory: from Stockholm via Riga to Moscow, from Warsaw via Riga to Helsinki, and from Berlin via Riga to Helsinki;

4. Latvia was well equipped with adequate airfields, hangars, radio stations and repair shops, and also furnished meteorological service.

In order to meet and satisfy all requirements, on October 14, 1937, Latvia adhered to the International Convention of Air Navigation, signed in Paris on October 13, 1919. The Convention entered in force in Latvia on November 1, 1937.

In addition, Latvia had bilateral agreements concerning aviation over its territory with neighboring countries. A local air line existed between Riga and Liepaja, and there was a factory in Latvia building specially constructed short distance airplanes called "Spriditis" or Tom Thumb. Latvia had a sufficient number of well trained pilots, and in every way fostered international aviation.

Although at present still under foreign occupation, but hoping to regain its self government and sovereignty in accordance with the

³ The Acting Secretary of State in his reply of November 24 stated: "I am sure, Mr. Minister, that you will readily appreciate the many complex factors which make it inadvisable at this time for this Government to break recent precedents by extending an invitation to Latvia to be represented at the Aviation Conference." (800.796/10-3144)

Atlantic Charter, Latvia is greatly interested in the proceedings of the above mentioned International Conference, wishes to be a party to the new international convention to be concluded, is ready to co-operate to its fullest extent in order to facilitate civil aviation, and welcomes such a conference, which doubtless will contribute to a better world after this war.

May I bring to your attention, Sir, that the senior Latvian Minister in London, M. Charles Zarine, who holds the emergency authority of Latvian state powers abroad, has extended to me full powers to represent Latvia in all international conferences taking place in this hemisphere.

I would very much appreciate it if I were informed, at least, about the proceedings of this Conference, which I sincerely support, even though not invited to participate.

Accept [etc.]

DR. ALFRED BILMANIS

800.796/10-3144 : Telegram

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

LONDON, October 31, 1944—noon.

[Received October 31—9:44 a. m.]

9386. We have spoken with a number of Foreign Office officials since it became known that Russia will not participate in the Chicago Civil Aviation Conference. Among these are officials who deal primarily with the political aspects of relations with Russia, as well as officials who are interested chiefly in aviation. All expressed surprise at the last minute decision of the Russians. None has inclined to take very seriously the reason given by the Soviet Government for not participating—that is the participation of Spain, Portugal and Switzerland. All said that they would like to know what the real reason is that prompted the Soviet Government to make this decision. All were inclined toward the view that more is involved in the Russian decision than abstention from the forthcoming talks on civil aviation.

Clark Kerr,⁴ we were told, had been asked to give his views on what really prompted the Russians to take this action.

None of the officials with whom we talked had had time to consider thoroughly this step of the Soviet Government and the views expressed by them should be considered in the light of this.

GALLMAN

⁴ Sir Archibald J. K. Clark Kerr, British Ambassador in the Soviet Union.

800.796/10-3144: Telegram

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

LONDON, October 31, 1944—7 p. m.

[Received 10:38 p. m.]

9399. ReEmbs 9386, October 31, noon, and 9385, October 30, 9 p. m.⁵ We talked with Sir Orme Sargent⁶ this afternoon about the decision of the Soviet Government not to participate in the Chicago Civil Aviation Conference and about the attempt of the Soviet Government to bring about representation of the Polish Committee of National Liberation at the EITO Conference.⁷

Sargent said that he did not regard either of these moves of the Soviet Government as an indication that the Soviets would not be prepared to collaborate in the work of the post war period. To him these two recent moves had different meanings. He regarded the decision not to participate in the Chicago conference as a step toward wiping out the last traces of the "ostracism" so prevalent in the 1920's. Russia today felt strong enough, he said, not to tolerate the kind of treatment that she was given in the years immediately following the revolution and which some countries still accorded her and she was, in his opinion, determined to take advantage of every opportunity while she was in her present favorable position to put an end to the remaining traces of such treatment.

The Soviet move regarding representation of the Polish National Committee at the EITO Conference, Sargent said, appeared to him to be the more serious of the two recent developments. He interpreted this move, he said, as in the nature of a warning that unless the present Polish Government in London was quickly brought to an agreement with Moscow on Moscow's terms, the Soviet Government would begin dealing in all respects with the Polish National Committee of Liberation as the Government of Poland.

GALLMAN

[For minutes of the Conference, see Department of State Publication No. 2820, *Proceedings of the International Civil Aviation Conference, Chicago, Illinois, November 1-December 7, 1944* (Washington, Government Printing Office, 1948, 1949), in two volumes.]

⁵ For text of latter telegram, see p. 842.

⁶ Deputy Under Secretary of State, British Foreign Office.

⁷ European Inland Transport Organization; for documentation on this Conference, see pp. 743 ff.

800.796/11-344 : Telegram

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

LONDON, November 3, 1944—8 p. m.

[Received 10:28 p. m.]

9561. ReEmbs 9386, October 31, noon and 9399, October 31, 7 p. m. When we saw Warner at the Foreign Office today he told us that comments by Clark Kerr on the Soviet decision not to take part in the Chicago Aviation Conference had been received. Clark Kerr had expressed the view that Soviet anticipation of differences between the British and United States at the Conference had probably influenced the Soviets to stay away and thus avoid becoming involved in these differences. Clark Kerr added that he felt that the Soviets thought that at the same time they could, by taking this step, give emphasis to their attitude toward some of the countries with whom formal relations did not exist particularly toward Franco's Spain.

Warner added a view of his own. He said he felt that the experience the Soviets had had at the UNRRA Conference at Montreal⁸ and more recently here in London at the EITO Conference, of finding themselves several times in a minority of one, had made them cautious and that they did not so soon want to join in another international conference where this experience might be repeated.

GALLMAN

800.796/11-1144

The Chairman of the American Delegation to the International Civil Aviation Conference (Berle) to the Acting Secretary of State (Stettinius)

[CHICAGO,] November 11, 1944.

[Received November 14.]

DEAR ED: Thank you for your letter of November 8⁹ with its enclosed explanation by the British Ambassador of the Soviet withdrawal. I don't think he is right because the Soviets also pulled out of the European Inland Transport negotiations on the ground that the Poles were there, and likewise took a contrary view to the maritime arrangements in progress, this time giving no reason at all. I think it reflected the fact that some question was left unsettled by the Churchill-Stalin talks.¹⁰ But this may be overstating it; they may merely have decided that they did not want to move out in civil aviation anyway because they were not yet prepared to play a decisive role in it.

⁸ With regard to this Conference, see pp. 334 and 338-354, *passim*.

⁹ Not found in Department files.

¹⁰ For documentation on Prime Minister Churchill's conference with Marshal Stalin at Moscow, in October 1944, see vol. iv, pp. 1002-1024, *passim*.

I have been sending memoranda diary reports back when I had time to dictate them;¹¹ and I am having a flock of delegation minutes sent to you. I should not think you would be greatly interested in the stacks of paper produced by the Conference.

We are nearing the climax. The British, who came with a proposal which was not only unacceptable but rather offensively so, took about a week to discover that it would not do, and then asked for guidance in the revised proposal which they are prepared to submit. The Delegation is plugging at it, and I hope we shall sit down to the decisive conference between the British and the Canadians in a day or so. After that we should be getting pretty well forward. I still hope to end this Conference in ten days but it may run over a little.

The minor ruckus (which was easily settled) about voting for members of the air council is really a main line row breezing up against domination by the big powers, and is a backwash of Dumbarton Oaks.¹² You may want to give this some thought. I haven't a cat's idea as to the answer as yet.

Sincerely yours,

ADOLF BERLE

*President Roosevelt to the British Prime Minister (Churchill)*¹³

[WASHINGTON,] 21 November 1944.

654. The aviation conference is at an impasse because of a square issue between our people and yours. We have met you on a number of points, notably an arrangement for regulation of rates and an arrangement by which the number of planes in the air shall be adjusted to the amount of traffic. This is as far as I can go. In addition, your people are now asking limitations on the number of planes between points regardless of the traffic offering. This seems to me a form of strangulation. It has been a cardinal point in American policy throughout that the ultimate judge should be the passenger and the shipper. The limitations now proposed would, I fear, place a dead hand on the use of the great air trade routes. You don't want that any more than I do.

The issue will be debated tomorrow. I hope you can get into this yourself and give instructions, preferably by telephone, to your people in Chicago so that we can arrange, if possible, to agree. It would be unfortunate indeed if the conference broke down on this issue.

ROOSEVELT

¹¹ Diary reports not printed; but see Mr. Berle's report to the President, December 7, p. 599.

¹² For documentation on the conversations held at Dumbarton Oaks, Washington, August 21 to October 7, 1944, see vol. I, pp. 713 ff.

¹³ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

800.796/11-2244 : Telegram

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

WASHINGTON, November 22, 1944—3 p. m.

9820. You will have seen the President's message of yesterday to the Prime Minister¹⁴ concerning the Aviation Conference. We have been asked to request you urgently to impress upon the Prime Minister and Mr. Eden that the President feels most strongly about this matter.

STETTINIUS

800.796/11-2344 : Telegram

The British Prime Minister (Churchill) to President Roosevelt

[LONDON,] 22 November 1944.

[Paraphrase]

827. Your message No. 654 reached me in the early hours of the morning and we have worked on it all day.

After prolonged discussion the Cabinet wish me to forward to you the following expression of their views which is endorsed by me. I earnestly request that you should send for Lord Swinton if there is anything in this message on which you would like further explanation.

Cabinet message follows:

"We wish to draw your attention to the course of the negotiations at Chicago which have witnessed a great number of concessions by both of us.

"That we might reach a common agreement, we have agreed to throwing open our airfields all over the world to aircraft of other nationalities and to such planes being able to carry not only through traffic but local traffic between two neighbouring countries on the route and your delegation has agreed to a method of regulating the share of the various countries on the different routes and of regulating the fares.

"It had been our hope that the agreement thus reached by our two delegations, which was made a part of the form of the draft of November 17, would be a satisfactory document to submit to the whole body of the conference for approval.

"Especially in respect to the so-called Escalator Clause which enabled the share of operators to be increased if they in fact carry more traffic between terminals than they are allotted under the frequency arrangements, we feel that we have gone to the limit of concession in this draft.

"The present difficulties have arisen as we understand it because of the new proposals brought forward by your delegation on the evening of November 18 after the agreement had been reached. Since these proposals demand a share of the local traffic between two neighbouring

¹⁴ *Supra.*

countries by aircraft of a third country far beyond that which the granting of the right to take up traffic on through service would warrant, we could not accept them.

"Subject to adequate protection of the local operators by a price differential, to which your delegates agreed in the accepted draft, we were prepared to agree to the so-called fifth freedom.

"We cannot see our way to accept these new suggestions, which would gravely jeopardize our own position, but, of course, we are prepared to stand by what Swinton had already agreed with Berle.

"Therefore, we suggest that if you cannot confirm the agreement reached on November 17, the Conference should finalise the valuable technical agreements which have been arrived at, and that the rest of the matters should be adjourned for a period during which we can consider the matter at greater length and see whether we can arrive at some solution of the problem.

"We partake with you the most sincere wish to reach a fair and satisfactory arrangement by which our two countries can play their full part in the development of world wide civil aviation at the earliest time.

"We hope you will have an opportunity to examine this and we feel sure you will agree that two points of view which originally diverged widely are joined in a wise and workable compromise."

800.796/11-2344: Telegram

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

LONDON, November 23, 1944—noon.

[Received November 23—10:35 a. m.]

10305. Your 9820 of November 22 did not reach me until after the Cabinet had discussed the issues in the President's message and reply made by the Prime Minister.¹⁵ Earlier in the afternoon on my own initiative I intervened with Eden, urging acceptance of the President's proposal. Later when the reply came through I was at great disadvantage in arguing the case as the Embassy had not been kept informed on the issues before the Conference.

WINANT

800.796/11-2344: Telegram

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

WASHINGTON, November 23, 1944—2 p. m.

9858. Personal for the Ambassador from Hickerson and Achilles.¹⁶ Referring to the final sentence of your 10305 November 23, the Depart-

¹⁵ *Supra*.

¹⁶ John D. Hickerson and Theodore C. Achilles, Chief and Assistant Chief, respectively, of the Division of British Commonwealth Affairs.

ment of State has been in exactly the same position and we know just how you feel. We hope that you will tell the Prime Minister that the President feels that from the standpoint of our common good this simply has to be settled at once and an agreement achieved. Everyone here thinks that the British are wrong and even unreasonable in insisting that the Escalator Clause apply only to traffic between terminals and not to traffic between intermediate points along the route. This intermediate traffic may well be vital to routes. The British have simply got to give way on this point and we look to you to make them do it.

We understand from the White House that the President will probably send you in the course of the day a telegram in regard to the Conference and that this message will probably include a further message from the President to the Prime Minister. [Hickerson and Achilles.]

STETTINIUS

*President Roosevelt to the British Prime Minister (Churchill)*¹⁷

WASHINGTON, November 23, 1944.

I appreciate your message of November 23 [22]. No point would be served by discussing past history such as the suggestion that an understanding on November 17 was rejected and a new proposal made by our Delegation. Our people believed that they had substantial assent from your Delegation to a draft which their and our experts interpreted one way and which Lord Swinton has interpreted in another; but all of us recognize that these situations do occur and they are not important. It is better to have this occur before rather than after an agreement is signed.

The important thing is that the draft of November 17, as interpreted by your people, does not set up the conditions for operable routes which pass through any considerable number of countries, and particularly which go to distant countries, for instance, a route from the United States to South Africa. It would make a round-the-world route almost impossible. All these routes, yours as well as ours, depend for their existence on a reasonable amount of pick-up traffic between points. We could not have pioneered South America, or maintained our present routes, nor could you maintain an economic route from London to India by depending merely on the traffic from London to each terminal point. A reasonable amount of intermediate traffic is necessary between the Panama Canal and Lima on the West Coast South American route, or between say, Rome and Cairo on your Indian route, to make it even remotely possible economically. Of

¹⁷ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

course, each of us could subsidize indefinitely one plane a week but this is an occasional visit rather than a trade route. Our experts were also worried by the fact that this limitation (homeland to each intermediate point and exclusion of point-to-point traffic) would make it difficult, if not impossible, for any small nation to have extensive routes because small nations do not have great reservoirs of terminal traffic. You and we could survive by liberal subsidies but we both want to get away from that. The Dutch and possibly the French would find great difficulty in surviving.

We know perfectly well that we ought not to set up a situation in which our operators could wreck the local establishments between nearby countries, or so fill the air on long routes that nobody else could get in and survive. We are quite prepared to discuss limitations of pick-up traffic to assure that this does not happen. What we do want is sufficient play so that the establishment and maintenance of the long routes on a reasonably economic basis is possible. For your information, the Canadians are tackling the situation on that basis. A real difficulty in the situation is that Lord Swinton feels he is so bound by instructions that he can make no suggestion.

800.796/11-2344

*Memorandum of Conversation, by the Assistant Chief of the Division
of British Commonwealth Affairs (Achilles)*

[WASHINGTON,] November 23, 1944.

Mr. Harry Hopkins this morning requested Lord Halifax to emphasize to Lord Swinton the importance of reaching a mutually satisfactory agreement at the Aviation Conference. Lord Halifax said that Mr. Magowan, who is both a member of the British Delegation and of the Ambassador's staff, was on his way back to Washington by plane and Lord Halifax wished to talk with him first. He suggested that Mr. Hopkins might wish to talk to Mr. Magowan. Mr. Hopkins suggested that Mr. Magowan talk first with the Department.

This afternoon Lord Halifax telephoned Mr. Hopkins that Mr. Magowan did not feel he could take the initiative in talking to anyone here as it would be improper for a member of the British Delegation to go behind Mr. Berle's back and attempt to influence our thinking. Mr. Hopkins accordingly suggested that the Department call in Mr. Wright for information as to the British position as explained by Mr. Magowan.

Mr. Wright called late in the afternoon at my request and we held a rather pointless discussion for an hour and a half. Mr. Wright

attempted to make clear to me the British position, about which he knew very little. I attempted to make clear the American position, about which I knew just as little. I emphasized to him the feeling of our delegation that Lord Swinton was prevented by his instructions from even exploring possibilities of a compromise, the importance which we attach to having Lord Swinton given more latitude, and the importance which the President attached to reaching a mutually satisfactory agreement. Mr. Wright emphasized that Lord Swinton had sufficient latitude to listen to any concrete proposals our delegation wished to make. I said that as far as I knew our delegation did not expect to make any new proposals, that it has made its proposal, as had the British, and that in an attempt to compromise we had accepted the Canadian Escalator Clause but could not accept the interpretation which the British put upon it, namely that the Clause should only apply to traffic between terminal points of each route. British opposition to this interpretation, as explained by Mr. Wright, was that to base escalation upon traffic between two intermediate points would permit a Nation not only to run long distance services but to dominate local traffic between intermediate points.

800.796/11-2444 : Telegram

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

WASHINGTON, November 24, 1944.

126. Please take the following message personally to Winston and convince him that he has got to come through. You will understand how important it is that he does.

"I have read carefully the message in your 827.¹⁸ I am afraid you do not yet fully appreciate the importance of reaching a satisfactory agreement. Our people have gone as far to meet yours as I can let them go. If the conference should end either in no agreement or in an agreement which the American people would regard as preventing the development and use of the great air routes the repercussions would seriously affect many other things.

We are doing our best to meet your lend-lease needs. We will face Congress on that subject in a few weeks and it will not be in a generous mood if it and the people feel that the United Kingdom has not agreed to a generally beneficial air agreement. They will wonder about the chances of our two countries, let alone any others, working together to keep the peace if we cannot even get together on an aviation agreement.

I hope you will review the situation once more and see if we cannot get together."

ROOSEVELT

¹⁸ Dated November 22, p. 585.

800.796/11-2844 : Telegram

The British Prime Minister (Churchill) to President Roosevelt

[LONDON,] 28 November 1944.

836. 1. Winant has brought me your message about the air in reply to my number 827, and naturally it has caused me much anxiety. I agree with you that this is a grave matter in which not only governments but parliaments and peoples may become deeply agitated, with consequences which cannot fail to be disastrous both to the prosecution of the war and to the prevention of future wars. I feel it my duty, therefore, to place before you in simple terms the issue as it presents itself to me after hearing all the advice of the special committee under Beaverbrook, of which Stafford Cripps is an important member, as well as the unanimous views of the War Cabinet.

2. The foundations of our position at this Conference, which is being held at the time and place which you proposed, are:

(a) The British Empire is asked to put invaluable and irreplaceable bases for air transport all over the world at the disposal of such nations as are capable of using them. This means of course primarily and in bulk placing them at the disposal of the United States.

(b) It was agreed between us as a war measure that you should make the transport aircraft and specialize upon them on account of the character of the war, the need to supply China over the Hump, the vast distances of the Pacific Ocean, etc., and that we should concentrate our efforts upon fighting types. In consequence the United States are in an incomparably better position than we are to fill any needs of air transport that may arise after the war is over, and to build up their civil aircraft industry. We would venture most earnestly to suggest that these two points are not receiving adequate consideration.

3. However, in partial recognition of the above two points, Lord Swinton believed that he had reached an agreement with Mr. Berle at Chicago on November 17th about the amount of aircraft capacity that should be put into service by our respective countries (frequencies) on a basis of "embarked traffic". Agreement was also reached about fares to prevent undercutting, unfair subventions, etc.

4. All the above was satisfactory to us and, I think, to the world. On November 18, however, your side of the table put forward an entirely new set of ideas and arguments which, in our judgment, took away with one hand what had been given with the other in consideration of our fundamental position set forth above in paragraphs 2 (a) and (b).

5. For instance, the escalator clause was sought, not only for traffic to and from your country but also for traffic between any two foreign countries. This meant that the number of services on any route could

be increased when an airline achieved a load equal to 65% of its full capacity. We had already agreed, reluctantly, that this escalator clause should apply to traffic to and from an aircraft's own country. We had also agreed to a so-called fifth freedom which would grant to an aircraft on through services the right to pick up and set down traffic between foreign countries at intermediate stops. It is true that provision was made for a differentiation of fares to safeguard the local traffic. That seemed to me a valuable line to explore.

6. Mr. Berle then asked for a combination of the escalator clause and the fifth freedom which would enable American aircraft to carry most of the traffic between the United Kingdom and the Dominions of India and all foreign countries, as well as between all nations of the Commonwealth. It would, in fact, give to United States airlines the right to everything save cabotage.

7. We must accept the fact that the arrangements about frequencies will very soon be completely different from those agreed upon before the escalator clause was proposed. There is very little doubt that our position relatively to yours is markedly injured thereby. This applies not only to Great Britain but to many other durable powers who are now in a weak condition to design and build suitable transport aircraft and to embark traffic.

8. On top of this escalator clause, which we have conceded for traffic to and from your country, Mr. Berle now demands the right of duplication over any section of any through route and also provision for increasing frequencies so that any airline could carry all the intermediate traffic it could get. This might well mean that aircraft embarking traffic in the United States would not only excel, as they are welcome to do on merits, but dominate and virtually monopolise traffic not only between our country and yours, but between all other foreign countries and British Dominions besides.

9. I have the opinion that both this point of linking the escalator clause and the fifth freedom together, and the claim for duplication on foreign air routes, require further patient study with a view to reaching agreement between our two countries. Thus, we could make sure that Great Britain and the Dominions and many other countries as well are not in fact run out of the air altogether as a result of your flying start with no regard to the fact that we are willing to throw all our bases all over the world into the common pool. I am sure I could not obtain the agreement of the Cabinet or of either House of Parliament to anything which wore that aspect. Nor would I try.

10. It may be that you will say I have not rightly posed the issues. If this be so, I should be most grateful if you would state them in your own words. It is [*Is it?*] suggested, for instance, that we are going to challenge the right of all nations of innocent passage in Freedom I,

or the consequential right of refuelling and repair in Freedom II, except in so far as these are mixed up in the much more refined issues arising out of your doctrines of escalator and duplication? There may well be other simplifications which could be made.

11. Should it not be possible for us to reach an agreement at this stage on Freedoms III, IV and V, when great battles in which our troops are fighting side by side are at their height and when we are preparing for immense new further efforts against Japan, I cannot see that a temporary adjournment to allow of the aforesaid patient discussions would do any serious harm. On the contrary, I believe that it would be as readily understood as was the postponement of final decision at Dumbarton Oaks. There is always the great body of technical matter upon which agreement has been secured. Therefore, unless complete agreement is reached, I plead that there shall be an adjournment. Such adjournment for a short time, if asked for by an intimately-allied power like us, ought not to be denied, nor ought we to be confronted with such very serious contingencies as are set out in your message received on Saturday. As [*An?*] open dispute carried out by Parliament and Congress, both of which would have to be informed and in our voluble free press on both sides, would do far more harm to the war effort and to our hopes of the future than an adjournment of a few weeks or even months, while both parties persevered behind the scenes for a settlement.

12. It is my earnest hope that you will not bring on this air discussion the prospect of our suffering less generous treatment on Lend-Lease than we had expected from the Quebec discussions. But even if I thought that we were to be so penalized, I would not feel myself able to agree to a decision contrary to the merits, as we see them, on this matter.

13. I should be ready, of course, to accept impartial arbitration on the points outstanding at the Chicago conference, provided that they were discussed in relation to the general framework. We have not yet got our World Court again, but there are friendly states and neutral states from whom competent judges might be found.

14. Let me say also, that I have never advocated competitive "bigness" in any sphere between our two countries in their present state of development. You will have the greatest navy in the world. You will have, I hope, the greatest air force. You will have the greatest trade. You have all the gold. But these things do not oppress my mind with fear because I am sure the American people under your re-acclaimed leadership will not give themselves over to vainglorious ambitions, and that justice and fair-play will be the lights that guide them.

800.796/11-2944

The Chairman of the American Delegation to the International Civil Aviation Conference (Berle) to President Roosevelt

[CHICAGO,] 29 November, 1944.

You have Churchill's wire of November 28th declining to modify the British proposal and asking that we adjourn the Air Conference.

British proposal is reasonable for the United States across the Atlantic but would substantially exclude our or anyone's aviation Eastward from the gateway cities such as Stockholm, Amsterdam, London, Paris and Rome. Prominent limitation is placed by British plan on number of planes which could go between these points and points East, the top limit being the plane capacity efficient to carry through traffic direct from the United States but not including intermediate traffic. There is not much through traffic from the United States to Prague or Cairo or Baghdad. Expert opinion here holds that no American line could pay expenses beyond the populous cities of western Europe.

Yesterday British argued their proposal in closed committee claiming their plan was needed to protect small states. Fifteen small states promptly got up and supported American position pleading that British proposal would prevent them from ever having self-supporting aviation. The line-up: France supported Britain luke-warm; all others supported United States including all Latin America, all Scandinavia, Netherlands, Spain, Canada, New Zealand. Australia, India, South Africa, stayed on the fence. The position of the smaller countries supporting us is that they want to carry traffic between intermediate points just as we do. In the jargon of the conference they want an unlimited Fifth Freedom.

British now want a quiet adjournment. *La Guardia*¹⁹ and I think this might be misunderstood by American public and prefer to present the American plan in simple English; get a record vote, and then leave the problem to an interim council. Otherwise we think the British would seek to pose as martyrs trying to protect small nations against us. They raised this issue and we think they should face it rather than we.

Stettinius and I believe you should pass on this question and we would much appreciate your judgment.

ADOLF BERLE

¹⁹ Fiorello H. La Guardia, Chairman, United States Section, Permanent Joint Board on Defense (Canada-United States).

*President Roosevelt to the British Prime Minister (Churchill)*²⁰

WASHINGTON, 30 November 1944—1:20 a. m.

Number 661. I have given careful thought to your 836^{20a} and to the problems which you cite. You know that I have no desire for any arrangement by which our people would profit from the sacrifices which yours have made in this war. Your confidence in the justice and fair play of the American people is, I am sure, justified. I have equal confidence that your people have the same qualities in the same measure. I know that they want equal opportunity in the air and unquestionably they should have it. I can not believe that they would want aviation, in which you as well as we have a great future, stifled and suffocated because they were for a moment in a less favorable competitive position.

You say that the British Empire is being asked to put bases all over the world at the disposal of other nations. Of course it is. Would you like to see a world in which all ports were closed to all ships but their own or open to one foreign ship, perhaps two if they carried only passengers and cargo bound all the way from Liverpool to Shanghai? Where would England be if shipping were subjected to such limitations? Where will it be if aviation is? I am unable to believe that you do not want an agreement at this time.

I can not agree that the answer is to hold everyone back. It must be rather to go forward together. I know the handicaps under which your aviation industry has laboured during the war. We have found ways to help you before and I am confident that we can find ways to help you in overcoming this. We are prepared to make transport aircraft freely available to you on the same terms as our own people can get them. Our only stipulation is that aviation must be permitted to develop, subject only to reasonable safeguards, as far and as fast as human ingenuity and enterprise can take it.

We have no desire to monopolize air traffic anywhere. I do not see how increased frequencies on long routes would dominate traffic on short ones, when all lines would have the same right to increase their frequencies on the same basis. Nor do I see how in the long term such an arrangement would favor us over others, despite our head start.

You asked that I give further consideration to the fundamentals of your position and that I state the issues as I see them. I have done both and I am more convinced than ever that the answer is not to hold back but to go forward together.

²⁰ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

^{20a} Telegram dated November 28, p. 590.

I feel that the Conference can still reach an agreement vastly helpful both in the air and in wider fields. Swinton and Berle on November 27 publicly stated our respective positions. The smaller States have spoken and, if I may say so, our position seemed to have by far the greater support. If it is not possible to reach complete agreement when our delegations have so closely approached it, the reasons, despite our best will, would be all too clear.

You speak of impartial arbitration within the general framework. The Canadians undoubtedly see both points of view, have laboured tirelessly to bring us together and on November 27 brought out a new formula which might provide a reasonable line of compromise if the small nations would indeed accept so limited a formula. I will give Berle latitude for one more try on the lines of that formula if you will give Swinton the same.

Given, on both sides, that spirit of justice and fair play of which you speak, I know that an agreement can be reached which will be equally beneficial to both our interests and to the world.

ROOSEVELT

800.796/11-3044 : Telegram

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

WASHINGTON, November 30, 1944—noon.

10024. We assume you have seen the further message which the President sent last night to the Prime Minister. In case you have not, the essence of it was that we could not agree that the solution was for the British to hold everyone else back in the development of aviation because they were temporarily in a poor competitive position but that the answer was rather for the two countries to go forward together and that we were prepared to help them to do so by making transport aircraft available to them on the same terms as to our own people if an agreement could be reached which would permit aviation freely to develop. This was in reply to the Prime Minister's message of November 28 in which he stressed the fact that the British were being asked to make British fields available all over the world and the handicap under which British aviation was laboring as a result of the agreement that they concentrate on fighter planes while we concentrated on transports.

We are deeply concerned at reports reaching us from British and Commonwealth sources in Chicago and elsewhere that the persons in London responsible for decisions in this matter, primarily Beaverbrook, do not want any aviation agreement to be reached at Chicago

although many persons in the British Government and in the Dominion Governments favor an agreement substantially along the lines we propose. If these reports are true it appears that compromise on our part would be useless. Swinton apparently has no latitude whatsoever. The foregoing is for your secret information as a basis for anything you may be able to do to help.

Our delegation reports that all the other Delegations who had spoken this week have supported either the American position or the Canadian compromise except the French and the Australians, who supported the British, and New Zealanders who supported neither. South Africa and India declined to speak. The French told Berle privately that they were acting under orders which they hoped eventually to reverse. The Dutch and Swedes strongly opposed the British position.

We are also deeply disturbed at the repercussions which failure of the Conference would have both upon the future conclusion of an air agreement and in the wider fields of Anglo-American relations. As the President has said and as is beginning to be hinted in the press our people will wonder about the chances of international cooperation to keep the peace if not even the British and ourselves can reach agreement on such a subject as aviation.

STETTINIUS

800.796/12-144 : Telegram

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

LONDON, December 1, 1944—6 p. m.

[Received 6:26 p. m.]

10608. Personal to the Secretary and for the President.

Before receiving Department's 10024 of November 30 late last night, I had already followed up the President's message to the Prime Minister covering agreement on the aviation program at the Chicago Conference and had urged the acceptance of the Canadian compromise. I talked with Eden, Beaverbrook and Churchill. The Cabinet met yesterday afternoon and I was informed by Beaverbrook that before he could communicate their decision to Swinton, the Conference had adjourned. The intention of the Cabinet was to accept the compromise but at the same time ask for a small passenger rate differential on pickups on long hauls. This was less than what we wanted. Churchill and Beaverbrook went over with me the message that was dispatched to the President this afternoon.²¹ Churchill said that he would be glad to reopen the subject at any time conven-

²¹ *Infra.*

ient to us. Beaverbrook was plainly uncomfortable at this meeting. I blame him most for the failure of the Conference.

Once the President and twice the Department have asked me to intervene in support of our position at the Conference. I did everything I could to persuade the Prime Minister to accept the President's wishes and I am very sorry that I failed to get done what he wanted done. On the other hand, I want you to know that I could have been far more effective in talking with the Prime Minister if I had been properly informed. The British had reams of papers covering every detail of the Conference's discussions. I had nothing beyond the President's messages which covered only one or two particular points of disagreement. I hope this will not happen again with the man who is chosen to continue in my post. Even our Civil Air Attaché had been assigned to the Conference.

WINANT

The British Prime Minister (Churchill) to President Roosevelt^{21a}

LONDON, December 1, 1944.

840. 1. We consulted together at once on the issues discussed in your 661.^{21b} We decided to examine the prospect of an agreement based on the Canadian plan as suggested in the seventh paragraph of your 661, coupled with a further exploration of the differentiation of fares for Fifth Freedom traffic, of which I spoke in paragraph 5 of my 836 as a valuable line.

2. By the time we had communicated with Swinton, however, the Conference had already decided to approve all the technical decisions and to refer unfinished business to the Council of the International Organization.

3. I must confess to you that we have found it difficult at this distance to form a clear judgment of the rapidly changing phases of a negotiation so complex in character and far-reaching in scope. Swinton's return will give me an opportunity to conduct with him a comprehensive survey of the problem such as cannot be achieved in an exchange of telegrams.

4. Having reached an understanding, I would propose to give you an account of the plan which we can lay before the Council in order to meet your wishes and, as far as may be possible, fulfil your expectations. You may be sure that your own desire to lay a sound foundation for the future civil air transport system of the world is paralleled by our own.

PRIME

^{21a} Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

^{21b} Dated November 30, p. 594.

800.796/12-144 : Telegram

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

WASHINGTON, December 2, 1944—5 p. m.

10104. Personal for the Ambassador. Your 10608, December 1, 6 p. m. We fully understand the handicaps under which you have laboured. As we have told you we have had much the same difficulties ourselves in that our aviation experts as well as yours are in Chicago. At the same time we have felt that discussions of substance should be confined to Chicago and that representations to the British here and in London should be on the broader lines of the President's messages.

You will have seen from the President's latest message to the Prime Minister²² that the conference has not adjourned and has on the contrary tabled the Swinton-Berle motion to refer unfinished business to the Council. Your 10608 indicates that your efforts have very definitely borne fruit and we greatly appreciate them.

STETTINIUS

*The British Prime Minister (Churchill) to President Roosevelt*²³

LONDON, 6 December 1944.

848. Thank you for your telegram Number 664.²²

Although I have always felt that these discussions were premature and throw too heavy a burden on our minds at a time when so many anxieties of war weigh down upon us, yet I can assure you that I sympathise completely with your desire to take advantage of these pregnant negotiations at Chicago. It is our considered view, however, that further and, in the end, swifter progress will be made if we have an opportunity here to review the position in every one of its aspects and in its general setting in the world economy.

It is our desire, as it is yours, to reconcile the greatest possible freedom of air commerce with a broad justice to all nations, large and small.

It is your desire, as it is ours, that the free play of enterprise should not degenerate into an exploitation of national advantages which would in the end be found generally intolerable.

We are not satisfied, however, that the projects which have succeeded one another in such profusion during the intricate discussions at Chicago represent the final contribution of human ingenuity towards a solution.

²² Telegram 664, December 2. not printed.

²³ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

Apart from our own views, we have to take account of Parliament and public opinion.

Criticisms of the Chicago proposals are already appearing in quarters of the press which are in no sense reactionary or narrowly nationalistic. These are symptoms which in the interest of ultimate agreement we cannot ignore. They serve to fortify us in our conviction that we should at this stage consult with our people. From such a consultation we shall expect to reach a clearer comprehension of issues which now seem to us extremely confused and to propound fresh constructive approaches.

PRIME

800.796/12-744

The Chairman of the American Delegation to the International Civil Aviation Conference (Berle) to President Roosevelt

[CHICAGO,] December 7, 1944.

MY DEAR MR. PRESIDENT: I have the honor to report the results of the International Civil Aviation Conference, held at Chicago from November 1 to December 7, 1944.

I

As you are aware, on August 29, 1944, the British Government, through Lord Beaverbrook, requested this Government forthwith to call an international conference on civil aviation, adding that if for political reasons the United States was unable to call such a conference, the British Government would be glad to call it in London. The original of this message is in the files of the State Department.

Later, on September 7, 1944, the Canadian Government delivered to the State Department a memorandum likewise requesting that we call such a conference. The Canadian Delegation in Chicago informed me that this was done not at the request of the British Government but separately.

In response to this, the invitation (Annex I)^{23a} was sent to all the governments of the world with the exception of enemy and former enemy governments, and the Government of Argentina. All of the governments accepted this invitation with the exception of Saudi Arabia. Among the governments accepting was the Government of the Soviet Union, a copy of whose acceptance is in the files of the State Department. In this document notation was made that the Soviet Union decided to accept despite the fact that the neutrals were included as well as belligerents, no doubt in recognition of the fact that

^{23a} For text of invitation, see Department of State *Bulletin*, September 17, 1944, p. 298.

certain neutrals, notably Sweden and Portugal, held a geographic position requiring their action if world aviation lines were to be opened. Subsequently, the Soviet Union withdrew its acceptance on the ground that Spain, Portugal, and Switzerland were included in the Conference.

Draft agenda was likewise prepared (Annex II) ²⁴ and circulated to the various governments. No suggestions were made thereon, and it became the agenda of the Conference.

Shortly before the convening of the Conference, the British Government published a White Paper (Annex III) ²⁵ without prior consultation with the United States. This publication caused a certain amount of surprise, since it set out very firmly the British insistence that routes should be allocated and rates determined by an international body which should have overriding powers in the economic field. In preparatory discussions the United States had made the point that it could not delegate economic power to an international body except to carry out principles, agreements and law clearly agreed upon between governments.

The United States Delegation consisted of:

Adolf A. Berle, Jr., Assistant Secretary of State, *Chairman*
Josiah W. Bailey, Chairman, Committee on Commerce,
United States Senate

Owen Brewster, Member, Committee on Commerce, United
States Senate

Alfred L. Bulwinkle, House of Representatives

William A. M. Burden, Assistant Secretary of Commerce
for Air

Rear Admiral Richard E. Byrd, U.S.N., Retired

Fiorello H. LaGuardia, Chairman, United States Section,
Permanent Joint Board on Defense (Canada-United
States)

L. Welch Pogue, Chairman, Civil Aeronautics Board

Edward Warner, Vice Chairman, Civil Aeronautics Board

Charles A. Wolverton, House of Representatives

The Delegation had the services of Mr. Robert A. Lovett, Assistant Secretary of War for Air, and Mr. Artemus L. Gates, Assistant Secretary of the Navy for Air, as Consultants. As Advisers, who might also represent the point of view of the aviation industry, we had the benefit of the services of Colonel H. R. Harris, Chief of Staff, Air Transport Command, and formerly one of the principal operating officers of Pan American-Grace Airways; Commander Paul Richter, U.S.N.R., of the Bureau of Naval Operations, and previously one of the principal operating officers of T.W.A.; Mr. Ralph Damon, Vice President, American Airlines, Inc.; Mr. John C. Cooper, Vice

²⁴ For text of draft agenda, see Department of State *Bulletin*, October 1, 1944, p. 349.

²⁵ British Cmd. 6561: *International Air Transport*.

President, Pan American Airways; Mr. Carleton Putnam, President, Chicago and Southern Airlines; and Mr. Frank Russell, National Aircraft War Production Council, Inc. A full list of the Delegation is appended as Annex IV.²⁶

II

The Conference convened in Chicago on November 1. Before doing anything else, I invited Lord Swinton, Chairman of the British Delegation, to lunch. After the usual courtesies, Lord Swinton spoke of the White Paper as the unchangeable British position. I pointed out that this White Paper was merely a re-statement of the British position as given to Dr. Warner and myself by Lord Beaverbrook in London in April 1944 in preparatory discussions. We had then made it clear that such a position was substantially impossible of acceptance, since it amounted to mere blanket delegation of power to an international body with no knowledge of what this body was designed to do. We had asked clarification of the British position which we had not got.

Lord Swinton then stated that the British desire was that they should have roughly one half of the Atlantic traffic, and that in general they felt that United States lines should not play any great part beyond the Atlantic gateways. "Did you really think we were going to change our minds?" he asked. The general conception appeared to be that American aviation had no particular reason to exist on the Continents of Europe, Africa and Asia, beyond the seacoast.

I observed that as far as I could see the British Government was asking not merely for United States money and for United States planes, but likewise for United States traffic to put in her planes. Also, other countries besides the United States and Britain had to be considered; nor could we relinquish aviation as a global form of commerce. It did not seem to me that United States airmen would take kindly to the proposition that they were only of use when they were fighting to liberate other countries, after which they were to be asked to get out of the air. We thought there was a large and expanding field with ample room for everyone. Further, development of United States aviation was vital to United States defense and indeed of cardinal importance in stabilizing the post-war world. We felt that more money would be lost than made in operating world routes; but we did attach primary importance to the continuing right of communication and the general spread of contacts, commercial and cultural and otherwise, through the constant shuttling of air traffic throughout the world. This seemed thus a major means by which the world could be unified in peace and understanding.

²⁶ See Department of State Publication No. 2820, *Proceedings of the International Civil Aviation Conference*, vol. I, pp. 40-41.

At the Second Plenary Session of the Conference three complete statements of position were made: one on behalf of the United States Delegation in the form of a speech to which all of the United States Delegation had assented, even including Senator Brewster; which is attached as Annex V.²⁷

Lord Swinton then made a speech setting out the British position, attached as Annex VI.²⁸

Mr. C. D. Howe, Chairman of the Canadian Delegation, thereupon made a third position (attached as Annex VII)²⁹ and propounded a Canadian draft designed to be a bridge between the British and the United States position. This draft is attached as Annex VIII.³⁰

The Conference thereupon organized itself in the usual fashion. The details are aptly set forth in the *Proceedings of the Conference* and need not be covered here. We selected as Vice Presidents of the Conference the Chairman of the French Delegation and the Chairman of the Chinese Delegation; and gave chairmanships of the four main committees respectively to Mr. John Martin, of the South African Delegation (this chairmanship had been offered to Lord Swinton, but he declined, saying that he wished to be more in the position of advocate than of moderator), to Dr. M. P. L. Steenberghe, Chairman of the Netherlands Delegation, to myself in connection with routes, and to Dr. Hahnemann Guimarães, Chairman of the Brazilian Delegation. We likewise adopted as a rule that all sessions of the Conference and all sessions of the Committees should be open to the press; but subcommittees would be either open or closed at the discretion of the chairman.

III

The Committees went to work on non-controversial matters, but obviously could not make substantial progress on air transport matters until the exact positions of the United States and Great Britain had finally been clarified. In consequence, the three delegations which had submitted complete plans, namely, the United States, Great Britain, and Canada, went into inter-delegation conferences. These lasted ten days and were strenuous in the extreme. The various documents which appear in the voluminous *Proceedings of the Conference* largely reflect the propositions and counter-propositions which were made in an endeavor to find common ground.

(a) *International Organization*

The first problem discussed was that of the power of an international organization. We stated very bluntly that we simply could not cede

²⁷ See *Proceedings of the International Civil Aviation Conference*, vol. I, pp 55-63.

²⁸ *Ibid.*, pp. 63-67.

²⁹ *Ibid.*, pp. 67-74.

³⁰ *Ibid.*, pp. 570-591.

dispositive power over United States air traffic to any international body in the present state of affairs. For one thing, there was no method or project of creating an impartial regulatory body: instead, the memberships in that body were to be apportioned among states and would represent political interests. Under these circumstances, any international body had to be in the position of applying exact defined rules agreed to by all hands. The fundamental problem was therefore drafting of the rules.

We said we could agree to an international body primarily to stimulate consultation and to make recommendations; and that if recommendations were not satisfactory, the international body might get together the interested parties and cause them to work out their difficulties. The enforcing power would have to remain in the several countries,—an international body at this stage of the game would have neither the machinery nor the prestige to enforce orders. The British finally acceded to this position, agreeing that obligations taken by treaty or agreement were quite adequate to meet the situation. Accordingly, agreement was reached on an international Council responsible to an international Assembly, the Council to have recommendatory powers; and failure to agree to recommendation would give rise to a prompt process of diplomatic consultation.

(b) *Avoidance of Rate Wars*

The second problem related to rates. There was general agreement that some method ought to be found of avoiding rate wars and other violences of competition which have disfigured transportation history. Substantial agreement was finally reached on a clause to the general effect that rates should be agreed upon by conferences of air operators analogous to ship operators conferences—a procedure which is specifically authorized by the Civil Aeronautics Act of 1938, and to which the United States can therefore agree. We were fortified in this by an opinion of the Attorney General to the general effect that such agreements were legal provided they were approved by the Civil Aeronautics Board. Since under the recommendatory procedure these agreements would come back to the various countries for acceptance, the procedure would be to have such operators agreements referred to the Civil Aeronautics Board. While the Civil Aeronautics Board does not have general power of enforcement, it could make it plain to any United States operator who violated an agreement that he would thereby forfeit diplomatic protection for his landing and transit rights abroad. It was the opinion of our operating advisers that no airline would violate an agreement thus made. By consequence, we felt that we had an adequate machinery.

Lest the operators conference become simply a new version of a cartel organization, the clause agreed on provided that no operator

might be excluded and that every operator must be included; and that their agreements must come up for scrutiny before the international organization where any complaint of injustice or hardship could be heard. In such case they could be further reviewed through consultative action in case of serious difficulty.

The rate arrangements were, however, to be part of a general agreement on air transport. This clause was later withdrawn when the other possible arrangements on air transport went by the board.

(c) *Rights of Commercial Entry*

Third, we then got down to the main problem of commercial air rights. The British wanted agreements which would severely limit international rights in air transport. They were prepared to concede the so-called "freedoms of the air", namely:

- (1) Freedom of innocent transit;
- (2) Freedom of technical stop;
- (3) Freedom to take traffic from the homeland out to other countries;
- (4) Freedom to take traffic from other countries back to the homeland—and possibly, to a limited extent,
- (5) Freedom to pick up and discharge traffic between points en route—

if, but only if, their operations were severely limited, traffic routes parceled out, and so forth, by an international body, or conceivably by rules appearing in a convention.

We naturally asked what these rules were to be.

The first position taken by the British was that they wished at all times a 50-50 division of the traffic between the United States and Great Britain in respect of the Atlantic Ocean. We said we were glad to concede equal opportunity, but we saw no reason for conceding half the traffic to Great Britain—especially since a very great part of the traffic would not be with Great Britain at all. Further, more than 50% of the traffic had been of American origin, consisting as it did very largely of Americans going and coming to and from the Continent of Europe. The British formula was that each country should have a right to carry traffic "originated" in that country—origination meaning the traffic embarked therein—irrespective of how it got there or where it came from. We said that if we were talking national origin we should want to know where the traffic began, et cetera, but what we really wanted was reasonable and open competition. Ultimately the British abandoned this point. They then proposed, through the medium of an extremely intricate formula, a plan whose outline is virtually as follows:

Each country on establishing an international route should be allowed to run planes having capacity sufficient to take care of one

half the traffic embarked in the country of origin, destined for the country to which the route was to go. Thereafter, when these planes ran "full" (which in operators language means running at an average of 65% payload), the number of planes or air-carrying capacity running between the points might be increased. The right of increase became known as the "escalator clause".

This sounded simple enough. But on examination it becomes extremely complex. As long as planes are running merely between two points—say, New York to London—it amounts to acceptance of a free competitive system subject only to the requirement that before plane capacity on a run is increased, the operator must show that his existing plane capacity is running substantially full. But if the line runs between more than two countries—say, New York—London—Paris—Rome—Cairo—the question was whether the plane capacity could be increased not merely by through traffic running from New York to Paris, or from New York to Rome, or from New York to Cairo, but also by pick-up traffic which the plane might get between London and Paris, Paris and Rome, and Rome and Cairo. Our own statistics, thoughtfully provided by Dr. Edward Warner, show that between New York and Buenos Aires, for instance, only 15% of the traffic is "through", from the United States terminal to each point. On that basis we would be limited to one plane a week between New York and Buenos Aires—whereas actually we have a thriving trade route with a great many more planes than that. On the basis of one plane a week the operation simply cannot be economical or self-supporting.

Accordingly, we argued that while the British idea offered a good arrangement for the United States across the Atlantic Ocean and possibly across the Pacific, in substance it strangled any United States line beyond the Atlantic gateways. It was even more bitterly unjust to the lines of every other country; for instance, the Netherlands could not operate its KLM line at all. We asked how the British BOAC could run a self-supporting line into India—or the French to the Far East, or the Belgians to the Belgian Congo. The British had no answer to this. It was evident that they expected other arrangements not appearing in the agreement would be made in respect of the European lines, though they at no time disclosed what these arrangements would be. They may have had in mind bilateral agreements with the countries through which they passed by which their lines might pick up traffic; while other lines might not.

It was plain that if the capacity which a United States line could run from, say, New York to Cairo, were limited by the through traffic from New York to Cairo and could only increase as the terminal-to-terminal traffic increased, no sane operator would ever establish such a line. And if the rule were bad for the United States, it

would be hopelessly harsh to small countries like, say, the Netherlands, which do not have anything like the terminal traffic had by the United States.

At one point in the negotiations we thought we had arrived at an agreement with the British by which pick-up traffic might be taken on, and that this traffic might be included in "escalating", that is, in adding plane capacity provided the planes were running full. This was the interpretation we put upon one of the drafts. Dr. Edward Warner, who was handling this phase of the negotiations with the British experts, had a statement from the British experts that they so construed it, and we thought we saw a possible agreement. However, after three days of negotiating on this basis, the British suddenly made it plain that they did not propose to have any pick-up traffic included as a basis for "escalation",—and we were back where we started. I have some reason to believe that this was done on orders from London, but it may have been a misunderstanding between experts during an extremely wearying period of night negotiation.

The Canadians in a last desperate effort to bring about a compromise agreement submitted a plan which went very far towards bridging the gap between the United Kingdom and the United States. With some slight modifications which we were prepared to work out, and if the British had been willing to agree on the escalation features, this would have been an acceptable compromise. However, the British did not agree. It was then that the American draft of what later became the Air Transport Agreement was worked out, first as a proposed Protocol and later as a proposed Executive Agreement.

Lord Swinton at this point stated that he was absolutely limited by his instructions and could do nothing. We accordingly agreed that we would put our respective positions before a joint subcommittee comprising representatives of all the countries at the Conference. Swinton based his entire position in favor of his proposed limitation on the ground that smaller countries had to be protected against having their traffic taken away from them,—apparently by United States competition.

By consequence, after ten days of extremely difficult negotiation, we reported out to the Conference the points on which we had been able to agree; and also our alternative plans.³¹ The British plan was one of limitation, as above described; ours was a plan by which each country, having established its transport lines, might increase capacity as rapidly as its planes filled up.

There followed the tensest debate of the Conference. Lord Swinton presented the British view, urging the necessity of protecting

³¹ See verbatim minutes of joint plenary meeting of Committees I, III, and IV, November 22, 1944, *Proceedings of the International Civil Aviation Conference*, vol. 1, pp. 445 ff.

small nations from competition. I presented the United States view which was for freedom of the air, with competition, and without cartel or other similar agreements, and without limitation except for the proposed arrangement against rate wars, and the "full plane" clause.

(The debate was in fact a modern version of the old controversy when Grotius argued for the freedom of the seas, and Selden argued for the closed seas; a debate which went on in the 17th century until it was finally settled by the British adopting the freedom of the seas. Another almost exact historical analogy is the debate which went on in this country when Livingston in New York tried to argue for limitation and allocation of steamship transportation as against Fulton and Daniel Webster who argued for open transportation and freedom of development of steamships.)

The position taken by the United States was, of course, its classic view. Historically, this country maintained it in connection with the sea. In air matters, the United States Delegation advocated freedom of air transit at Paris in 1919, and at Habana in 1929.³² The United States Delegation at Chicago solidly supported the policy,—with the exception of Senator Brewster who has continuously argued for monopoly arrangements made between the United States and Great Britain, on the theory that the modern world required proceeding on the basis of power politics.

The close of the debate was dramatic and somewhat unexpected. Fifteen small countries in quick succession got up and protested against the British position. They said it meant strangulation and, far from protecting them, it virtually excluded them from the air. This position, which was supported by all the expert opinion of the Conference, was most ably argued by the Netherlands, obviously to the great surprise of Lord Swinton. At the close of it, the British position was smashed flat, even the Canadians deserting the British and the New Zealanders declining to support their position.

The following day, after consultation, the United States Delegation proposed that all matters which had been agreed upon be embodied in a convention; and that a side agreement consisting of the mutual grant of the "five freedoms" be drawn, open to those countries which wished the exchange as between themselves. This was done after consultation with the Chinese, who urged it; with the delegates of the 19 other American republics, who asked that this be done; and with the delegates of the Scandinavian bloc, which was very firm for some such arrangement. The Netherlands, Turks, and Spaniards likewise urged some such arrangement.

We accordingly drafted and put in a document along this line.

³² See *Foreign Relations*, 1926, vol. I, pp. 145 ff., and *ibid.*, 1929, vol. I, pp. 489 ff., respectively.

IV

Lord Swinton then asked whether we would not join in a motion transmitting all of the matters not yet agreed upon to the proposed Interim Council for further study and report. This was in accordance with the agenda of the Conference, since at the time of calling the Conference all of us had contemplated this possibility. I declined to make the motion but said that if Lord Swinton would make it, I would second it, and in subcommittee the motion was made and seconded. Mayor La Guardia gave notice that he would like to speak on the motion in Plenary Session.

The following day a Plenary Session of the Joint Subcommittee was held, and La Guardia spoke.³³ He said that if we could not get "five freedoms", we ought to get four, and if we could not get four, we ought to at least have freedom of transit and technical stop.

Lord Swinton then made a speech which was equivocal but which was interpreted as meaning that the British would join in agreement on the "two freedoms"—right of transit and technical stop. He said he would be glad to make his position plain if a motion to that effect were made. At once and unexpectedly, the Netherlands Delegate made such a motion. This obviously took the British Delegation by surprise. I was presiding and I adjourned the Plenary Session, referring the motion to the Joint Subcommittee for discussion and report.

On the following day, the British stated that they were prepared to accept agreement covering the "two freedoms"—right of transit and technical stop. This in turn surprised us, because Swinton had steadily and bitterly opposed any such agreement throughout the entire Conference—saying that they could not touch freedom of transit and technical stop except as a part of an agreement including the "controls" on which we had been unable to agree.* Thereupon, taking the United States document proposing mutual exchange of the "five freedoms", the British drafted an almost exactly similar docu-

³³ See *Proceedings of the International Civil Aviation Conference*, vol. I, pp. 493-498.

*I think that part of the reason for this was that everyone by this time knew exactly the real interests involved. Freedom of transit and technical stop meant on the British part grant of stop at Newfoundland, which makes transit possible across the Atlantic. At the moment, there is no commercial route across the Atlantic which does not involve the transit of Newfoundland and a stop at a Newfoundland point—this being the nearest North American landing both to Iceland and to the Azores. On our side, freedom of transit means permitting a stop at Hawaii or the Aleutians, thereby making it possible to connect Australia and New Zealand with Canada, an old and entirely legitimate ambition. Had the British opposed publicly the "two freedoms", they would have been in a position of keeping Australia and Canada disconnected, and at the same time of endeavoring to prevent American commercial crossings in the Atlantic—a position which would have been hard to justify before the public opinion both of the United States and of the British Commonwealth. [Footnote in the original.]

ment containing mutual exchange of the "two freedoms" among the countries signatory to it. This, as a second side agreement, was proposed and approved by the Conference.

For the United States, this was a real gain.

The countries which agreed to exchange between themselves the "five freedoms" were isolated blocs in various parts of the world—and the blocs could not interconnect. But with freedom of transit and technical stop these countries could interconnect and thereby enable commerce to be carried on.

Meanwhile, we had been canvassing the question of bilateral agreements, along the lines of a standard form which was being worked out in Committee III,³⁴ with those countries which might not wish to sign multilateral documents granting freedom of transit and commercial entry. We obtained a number of understandings looking towards these agreements. Among the countries which proposed to enter into such agreements were: Portugal, Spain, Belgium, Iceland, Greece, Turkey, Sweden (who also proposed to sign the "five freedoms"), Czechoslovakia, Poland, Lebanon, Iraq, and Canada.³⁵ It was likewise plain that a number of other countries wished to enter negotiations as rapidly as possible. We were prepared to carry these to a conclusion at Chicago. However, on Monday, December 4, a shift in the State Department personnel took place and the Chairman of the United States Delegation, having been Assistant Secretary of State in charge of air matters, ceased to hold that position.³⁶ This left no one in Chicago authorized to sign such agreements; and it likewise created some doubt in the minds of the other countries as to whether a shift in United States air policy was not imminent. They were later reassured on that score; but a short period of difficulty ensued which was happily worked out by the very solid and self-assured conduct of the United States Delegation to which I am extremely grateful. Some of these documents have since been signed in Washington. A number of other negotiations are pending, capable of being brought to a successful close if they are followed up.

While this had been going on, a huge amount of work had been going on also in the field of standardizing technical practices, services,

³⁴ See resolution VIII containing the standard form of agreement for provisional air routes, *Proceedings of the International Civil Aviation Conference*, vol. I, pp. 127-129.

³⁵ By the end of December 1944, agreements had been negotiated with three countries. An agreement with Spain was signed on December 2, 1944; for text, see Department of State Executive Agreement Series No. 432, or 58 Stat. (pt. 2) 1473. On December 16, 1944, agreements were signed with Denmark and Sweden; for texts, see Department of State Executive Agreement Series Nos. 430 and 431, or 58 Stat. (pt. 2) 1458 and 1466.

³⁶ For information regarding the resignation of Mr. Berle as Assistant Secretary of State, see Department of State *Bulletin*, December 10, 1944, p. 694.

and requirements. This is being separately reported on by the Civil Aeronautics Board, and no better testimony to the tremendous scope of the work can be found than in the very large number of agreed documents in ten separate technical fields which appear as annexes to the main Convention and the interim agreements. Technicians generally agree that this is a major advance in handling technical arrangements so that planes can fly safely throughout the world, which has yet been taken. I cannot pay too high tribute to the corps of United States experts who worked up the material in advance of the Conference, and were able to convince the foreign delegations that they were both practicable and wise. In general, it may be said that the United States technicians gave a base for the handling of technical air practices throughout the world, and that the world, having examined them, was glad to accept the base they proposed.

The documents proposing an Interim Council and Assembly to handle air matters until such time as a permanent convention might be ratified by not less than twenty-six nations, were so drawn as to leave the choice of the first Interim Council and the seat thereof to the Conference itself. The seat was disposed of after a spirited contest between the French Delegation, which wished to have the seat at Paris, and the American countries who wanted to have it in Canada. In a close vote, Canada was selected as the choice for the seat of the Interim Council, and the choice of the permanent seat was left for the Assembly as and when the Convention should have been ratified.

Likewise, the Conference was to choose the Interim Council, and this precipitated a tide of electioneering and political deals which would have done credit to a municipal election. The American republics argued that since they constituted more than a third of the countries represented, they were entitled to seven out of the 21 seats on the Council. The British obviously wanted a much heavier representation of Europe, and later it appeared that they were insistent on the representation of India—a point which did not appeal to most of the other countries present because they thought India did not have an independent air policy. At a closed Plenary Session of the Conference elections were held by ballot, the results of which appear in the *Proceedings*. The memberships in the Council were to be distributed among three categories:

- (1) Major air operators, which, under the ruling of the Executive Committee, were to be eight in number, leaving one vacancy to be filled by the Soviet Union should she later adhere to the arrangement;

- (2) Countries which contributed facilities in air operation, which were fixed at five in number;

- (3) Eight countries which were to be so distributed as to assure geographical representation of the various regions of the world.

The balloting finally resulted in a not unintelligent distribution of countries in these various categories; giving, however, seven seats to Latin America and six to the Continent of Europe, and not including India. At the closing Plenary Session of the Conference, Norway, which had been elected to the Council, proposed to retire in favor of India. I then consulted with the American bloc, saying that I thought it would be a useful and generous gesture if El Salvador, which had been elected as representing Central America, would resign in favor of India and decline to accept the Norway resignation. Salvador declined to do this; but Cuba, which had played a leading part, offered to make the sacrifice. The attitude of the Cuban Delegation is entitled to the highest commendation in this regard; and I may add that I think it creates an obligation for the United States to support Cuba on the next occasion when a Latin American choice has to be made. It was not easy for the Cuban Delegation, which had won a fair victory in an open field, to sacrifice this position. For that matter, there was something ironical in having Cuba dash to the rescue of the British Empire which had been unable to obtain general support for her insistence on the inclusion of India.

By unanimous consent it was determined not to accept Norway's renunciation, to accept Cuba's with great thanks, and to elect India in her place. Thereupon the British and the Indians, who had been saying in substance that if arrangements were not made they would not sign any papers, came into camp.

The Conference thereupon came to a close.

In result, we have:

(1) A permanent convention providing for permanent international organization, and providing for technical standardization, and bringing up to date the air navigation provisions of the Conventions of Paris and of Habana;

(2) An interim agreement capable of being put into effect by executive action covering substantially the same ground *ad interim* prior to ratification of the Convention;

(3) A document by which the signatories thereto mutually exchange rights of freedom of transit and freedom of non-traffic stop (document of the "two freedoms") capable in my judgment of being put into effect as an executive agreement under the powers delegated to the President and the Civil Aeronautics Board by the Civil Aeronautics Act of 1938;

(4) A document by which the signatories reciprocally grant to each other the "five freedoms" (commonly known as the "five freedoms" or United States document), likewise in my judgment capable of being put into effect as an executive agreement; and

(5) A set of completed or partially completed negotiations for bilateral agreements between the United States and a considerable number of countries in various parts of the world.

So far as the strictly American interest is concerned, the combination of bilateral agreements, right of transit and technical stop, and "five freedoms" agreements vastly enlarged possibilities presently available to American aviation. The full benefits for American aviation cannot be completely ascertained until the negotiations for bilateral agreements are concluded; but the commitments obtained are such as to make it plain that these, if properly handled, can be brought to prompt fruition.

On the international side, the great issue of air transport has been faced and met; the positions are fully understood; an international organization capable of administering the agreements made has been established, and the same organization is charged with the duty of carrying forward further study in those respects on which agreement was not reached.

This is rather more than the Department of State and the United States Delegation had expected to be able to obtain when the Conference assembled.

Finally, a substantial beginning has been made towards opening the air to commerce. It is not too much to say that we entered the Conference in the law and atmosphere of the 17th century; and we came out with a fair prospect of obtaining 20th century conditions.

Faithfully yours,

ADOLF A. BERLE, JR.

[The following documents were opened for signature at Chicago on December 7, 1944:

(1) Interim Agreement on International Civil Aviation, Department of State Executive Agreement Series No. 469, or 59 Stat. (pt. 2) 1516.

(2) International Air Services Transit Agreement, Department of State Executive Agreement Series No. 487, or 59 Stat. (pt. 2) 1693.

(3) International Air Transport Agreement, Department of State Executive Agreement Series No. 488, or 59 Stat. (pt. 2) 1701.

(4) Convention on International Civil Aviation, Department of State Treaties and Other International Acts Series No. 1591, or 61 Stat. (pt. 2) 1180.

In a circular telegram of February 8, 1945, the Department of State announced its acceptance of the three agreements, with understandings; for text of telegram, see Department of State *Bulletin*, February 11, 1945, pages 198-199. For texts of letters exchanged between Senator Bilbo and Acting Secretary of State Grew on May 23 and June 9, 1945, concerning the acceptance of the three agreements as Executive Agreements, see *ibid.*, June 17, 1945, pages 1101-1103.

The Convention on International Civil Aviation was sent to the President for transmission to the Congress in a covering letter from Acting Secretary of State Grew dated March 5, 1945; for text, see Department of State *Bulletin*, March 18, 1945, pages 436-438.

A tabulation, compiled to November 23, 1945, containing dates of signature of the three agreements and the convention and subsequent action taken by the various countries, is printed in Department of State *Bulletin*, November 25, 1945, page 873.]