SECRETARIAT OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ROMANIA.

OBSERVATIONS OF THE ROMANIAN GOVERNMENT ON THE PRELIMINARY DRAFT OF THE PEACE TREATY WITH ROMANIA.

The Romanian Delegation considers itself bound, as much in the interests of historical accuracy as of discharging its responsibilities towards the Romanian people, to recall the efforts Romania made and the great sacrifices which she suffered in the cause of the United Nations during the last nine months of the war. In her opinion these efforts and these sacrifices should to a great degree redeem the sins of the past and place Romania in a different situation from that which is given her in the Treaty under discussion.

It is, of course, true that, as a result of the military events in Europe during May and June of 1940, and with the connivance of a handful of reckless individuals and traitors, Hitlerite Germany was able to make Romania her temporary ally and drag her into a stupid war. It is equally true, however, that the Romanian people, who had nothing in common with Hitlerite Germany and whose hopes, in fact, were bound up with the Allied nations, saw in the defeat of Germany their own deliverance.

This was the general feeling which led up to the act of 23rd August, 1944, a date which will be one of the most memorable in Romanian history.

On that day the King, the Army and the people, united in one single belief and one single hope, burst the German bonds and as one man took their stand by the side of the Allies in the war for the liberation of humanity.

The act of 23rd August, 1944 occurred at a moment when, in the words of Generalissimo Stalin, the glorious Chief of the Red Army, the outcome of the war was not yet clear. It was not an easy or a safe step to take. It involved risks which might have been mortal for the country. At that time Germany had in Romania an army 612,597 strong, of whom 390,873 officers and men, that is 26 divisions, plus 36,848 officers and men of the Air Force and Navy, were active troops.

The German army took immediate action. For three consecutive days their Air Force bombed the city of Bucharest, almost continuously in a series of terror raids which caused serious damage, while German troops advanced on the capital.

On 23rd August, 1944 the Romanian people, inspired by genuinely democratic motives and with the full agreement and support of their young and gallant King, took their stand the side of their natural Allies and resolutely embarked on a war of liberation. In accomplishing one of the greatest and most difficult feats in their history, they have, in our opinion, made a valuable
contribution to the war of the United Nations and to final victory.

From that moment Romania threw into the struggle all her forces and all her resources. Eighteen Romanian divisions, with a total strength of 385,000 men, supported by an air force, engaged the armed forces of Germany and of Horthy's Hungary which refused to break away from Germany.

After bitter fighting, and in the record time of eight days, Romanian territory to the south of the Carpathians was cleared of the invader who left behind more than 5,000 dead and 53,159 prisoners.

Therefore, when the Armistice Terms were signed in Moscow on 12th September, 1944, this first phase of the operations had already ended and the Romanian Army found itself on the eve of new offensive operations this time in association with the Soviet Forces. The Romanian Army had to continue these efforts until the final surrender of Germany.

Although she had undertaken, by the terms of the Armistice, to contribute to the war on the side of the Allies at least 12 divisions, Romania had in the field at any time between 23rd August, 1944 and 10th May, 1945, never less than 15 divisions. Operating under the Soviet Supreme Command, the Romanian armies fought for 260 days under conditions of terrain and climate which were often very severe. Having penetrated to a depth of 1,000 kilometres into the enemy positions, they fought first on their native soil, then in Hungary up to the gates of Budapest, and finally, in Czechoslovakia up to the outskirts of Prague, In the battle which it fought it took 107,214 enemy prisoners.

How much this effort of Romania's begun on 23rd August, 1944 contributed to the successful conclusion of the war is set out in a special memorandum which has already been circulated to members of the Conference (See memorandum No. 1).

It will be sufficient to state here that, in addition to the great losses in property and materials of all kinds to which should be added the losses caused by acts of war on the part of the German and Hungarian armies, the war which Romania waged on the side of the Allies against Germany and Hungary, from 30th August, 1944 onwards cost her not less than 114,379 killed and wounded, and some units lost their effective strength several times on the field of battle.

Finally convinced of the contribution she has made to final victory, and conscious of the blood which was so freely shed by her sons in the common cause, Romania hopes that she will be accorded the common justice of being acknowledged as a co-belligerent.

She further requests:

(a) that, in view of the de facto situation, incidentally confirmed in Article 1 of the Armistice Terms, paragraph 4 of the Preceding to the draft Treaty should be amended so as to show that Romania entered the war on the side of the Allied Powers on 24th August 1944, and not on 12th September 1944, after the Armistice had been concluded; and
(b) that in view of the de facto and de jure situation confirmed by Article 1 of the Armistice Terms, as also by Article 8 of the draft Peace Treaty, it should be stated at the end of paragraph 4 of the Preamble that Romania took an active part in the war, not only against Germany, but also against Hungary.
AMENDMENT PROPOSED BY THE DELEGATION OF AUSTRALIA to the Preamble of the Draft Peace Treaty with Roumania

The Australian Delegation proposes the following amendment:

Fourth Recital to be amended to read as follows:

"Whereas the Allied and Associated Powers and Roumania are respectively desirous of concluding a Treaty of Peace which, conforming to the principles of justice and equity and securing to all persons in territories affected by it human rights and fundamental freedoms without distinction as to race, sex, language or religion, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Roumania's application to become a member of the United Nations and also to adhere to any convention concluded under the auspices of the Charter of the United Nations."

Palais du Luxembourg
Paris
23 August 1946.
Mr. Chairman,

I draw your attention to a phrase in the Preamble of the Draft Romanian Peace Treaty, reading as follows:

"Thereby enabling the Allied and Associated Powers to support Romania's application to become a member of the United Nations."

The New Zealand Government have no objection in principle to Romania joining the United Nations.

But we do not think it of correct procedure to pledge ourselves in a Treaty of Peace to support the admission of any country to the United Nations. We prefer that we should exercise our discretion in the General Assembly in the light of all the relevant circumstances - and in the light of the evidence of fitness which will be presented to the United Nations when any country applies for membership. An appropriate committee of the United Nations will examine that evidence, will consider whether the actions of the applicant country are in harmony with the purposes and principles of the Charter of the United Nations. We consider, therefore, that it would be a derogation of the authority of the United Nations to bind our country in advance to support an application at whatever time in the future it may be made.

The New Zealand Delegation will not move a formal amendment to the Preamble, but we wish it to be clearly understood that in accepting the Preamble as at present drafted we do not bind our country automatically to support an application of any of the ex-enemy countries to become a member of the United Nations.

Palais du Luxembourg

Paris

August 26, 1946
Mr. Chairman,

I draw your attention to a phrase in the Preamble of the Draft Romanian Peace Treaty, reading as follows:

"Thereby enabling the Allied and Associated Powers to support Roumania's application to become a member of the United Nations."

The New Zealand Government have no objection in principle to Roumania joining the United Nations.

But we do not think it of correct procedure to pledge ourselves in a Treaty of Peace to support the admission of any country to the United Nations. We prefer that we should exercise our discretion in the General Assembly in the light of all the relevant circumstances - and in the light of the evidence of fitness which will be presented to the United Nations when any country applies for membership. An appropriate committee of the United Nations will examine that evidence, will consider whether the actions of the applicant country are in harmony with the purposes and principles of the Charter of the United Nations. We consider, therefore, that it would be a derogation of the authority of the United Nations to bind our country in advance to support an application at whatever time in the future it may be made.

The New Zealand Delegation will not move a formal amendment to the Preamble, but we wish it to be clearly understood that in accepting the Preamble as at present drafted we do not bind our country automatically to support an application of any of the ex-enemy countries to become a member of the United Nations.

Palais du Luxembourg

Paris

August 26, 1946
The Secretariat of the Political and Territorial Commission for Romania has the honour to forward to the Delegations represented on this Commission the text of a letter addressed to it by the Australian Delegation.


Annex
Sir,

I refer to paragraphs IV and V of the list of Amendments and Additional Proposals to the Draft Treaties lodged by the Australian Delegation with the Secretary-General on 20th August.

Those two paragraphs set out the actual amendments to be moved in connection with the relevant articles in the Draft Treaty with Italy, and noted that similar amendments would be moved in the case of other Treaties. For purposes of clarification herewith is appended the text of the amendment which the Australian Delegation will move in connection with the treaty with Roumania.

Inasmuch as the present draft treaty with Roumania does not effect any territorial change in which the rights and freedoms of the people transferred are not already protected in the draft treaty with Roumania, the question of moving an amendment corresponding to paragraph IV of the Australian amendments to the Italian treaty does not arise.
DRAFT PEACE TREATY WITH ROMANIA

ARTICLE 3

Re-number present Article 3 paragraph (1).

Add following paragraph:

(2) "Romania undertakes that in order to fulfill the obligations under paragraph 1 of this article, those obligations shall be recognized as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them."
PARIS CONFERENCE

Secretariat of the Political and Territorial Commission for Roumania.

Letter of 28th August 1916 from M. Tatarescu, Head of the Roumanian Delegation, to the Chairman of the Political and Territorial Commission for Roumania.

Mr. Chairman,

Prompted by the desire to contribute to the efforts of the Commission presided by Your Excellency to give to the draft Peace Treaty with Roumania a wording and a tenor consonant with reality and the claims of justice, the Delegation of the Roumanian Government has submitted, inter alia, some observations on the Preamble of this draft. The principal aim of these observations is to enable the authors of the draft Peace Treaty to find a logical wording which would avoid any inconsistency between the text of this draft, on the one hand, and, on the other, the text of the Armistice Convention, signed on 12 September, 1914, in Moscow and other conventions or agreements concluded between Roumania and the Allied Powers.

The Roumanian proposals for minor drafting changes were rejected at the meeting of 27 August, 1916. The Delegation of the Roumanian Government cannot but express its deep regret and considerable surprise at this decision.

In requesting that, after sub-paragraph 1, of the Preamble there be added the statement that Roumania also waged war on Hungary at the side of the United Nations, the Roumanian Delegation was merely repeating the statement contained in Article 1 of the Armistice Convention of 12 September 1914 which stated, on the one hand, that "Roumania will enter the war and wage war on the side of the Allied Powers against Germany and Hungary ..." and, on the other hand, provided that "military operations by the Roumanian armed forces against Germany and Italy will be conducted under the general leadership of the Soviet High Command". The Roumanian Delegation considered that the elimination of a disparity between the text of the draft Peace Treaty Preamble and the above paragraphs of the Armistice Convention was normal and could not meet with any objection.
On the other hand, the Roumanian Delegation's idea in making this request was to bring the Preamble of the draft Peace Treaty into harmony with the contents of Article 8 of the same Treaty, an Article in which the authors of the draft themselves recognize the existence of a "state of war between Roumania and Hungary".

The request that paragraph 4 of the Preamble should state that Roumania entered the war on the side of the Allies as early as 24 August 1914, and not merely after the signing of the Armistice Convention was intended not only to re-establish a historical truth, but also to reconcile the text of the draft Peace Treaty with that of the Armistice Convention. This Convention formally states in Article 1 that, starting on 24th August at 1 a.m. Roumania "came out of the war against the United Nations, broke off relations with Germany and her satellites, entered into war and will wage war on the side of the United Nations etc ...

Here again it was merely a matter of a necessary adaptation of two texts between which there should be no disparity.

In view of the above further explanations, the Roumanian Delegation asks Your Excellency to be good enough to submit to the Commission its request that the observations of Roumania mentioned above be taken into consideration at whatever stage it thinks appropriate.

The Roumanian Delegation will revert, in due course, in a separate memorandum, to the question of recognition of Roumania's status as a co-belligerent.

I have the honour, etc.

(signed) Tătărescu

Head of the Roumanian Delegation.

Palais du Luxembourg
Paris
31st August, 1916
Letter addressed by M. TATARESCO, President of the Ro\umanian Delegation to the Chairman of the Political and Territorial Commission for Roumania, on 30th August, 1946.

Mr. Chairman,

Having been informed of the decision of the Political and Territorial Commission for Roumania, to invite the Hungarian Delegation to express its views on Article 2 of the Draft Peace Treaty with Roumania, and the Ro\umanian Delegation to give it the possibility to reply to these remarks, I would ask you, in the name of the Ro\umanian Delegation:

1°) - to communicate in due time to the Ro\umanian Delegation all the documents (observations, memoranda, maps, etc...) submitted by the Hungarian Delegation;

2°) - to communicate to the Ro\umanian Delegation the text of the declaration to be made by the Representative of the Hungarian Delegation on the day of my convocation;

3°) - to invite the Ro\umanian Delegation only after hearing the Representative of the Hungarian Delegation, thus allowing us the necessary time to study the declarations made and the documents presented by the Hungarian Delegation.

I have the honour to be, etc...

President of the Ro\umanian Delegation,

(signed) TATARESCO
C.P. (ROU/P) Doc. 7
2 September, 1946

PARIS CONFERENCE

Secretariat of the Political
and Territorial Commission for Roumania

Letter addressed by the Australian Delegation to the
Secretariat of the Territorial and Political Commission
for Roumania

 LIST OF AMENDMENTS PROPOSED BY THE AUSTRALIAN
DELEGATION TO THE DRAFT PEACE TREATY WITH ROUMANIA

Sir,

I refer to the Australian list of amendments and additional
proposals to the Draft Treaties furnished to the Secretary-General
of the Conference of Paris on August 20th, 1946. I now enclose the
exact text of the amendments and additional proposals already put
forward to the Draft Treaty with Roumania. It will be re-called
in forwarding its amendments to the Draft Treaty with Italy the
Australian Delegation stated its intention of moving similar amend-
ments in respect to all treaties.

The attached amendments and additional proposals refer to the
following articles of the Treaty:

Part II. Political clauses. Article 3: new paragraph 2
Article 6: amendment
Article 9: new paragraph 3

New Part VII A. Court of Human Rights

Part VIII. Re-draft of Article 35 providing for a Treaty
Executive Council

New Article 36 A providing for amendment to U.K.,
U.S. proposed Article 36.

Accept, Sir, etc....
AUSTRALIAN DELEGATION

AMENDMENTS AND ADDITIONAL PROPOSALS TO DRAFT TREATY WITH

ROUMANIA

Article 3. Add new paragraph 2.

"2. Roumania undertakes that, in order to fulfil its obligations under paragraph 1 of this article, those obligations shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them."

Article 6. Paragraph 3.


substitute the words "Treaty Executive Council".

Article 9. Add new paragraph 3.

"3. The Government of Roumania shall apply for membership of the Food and Agricultural Organisation of the United Nations, the International Wheat Council, the International Health Organisation, and such other economic and social organisations as shall be brought into relationship with the United Nations, and shall co-operate with all those bodies in carrying out their decisions and recommendations. The Governments signatory to this Treaty undertake to support any such application made by the Government of Roumania."

Add new Part. Part VII (A) Court of Human Rights.

Article 35.

A. There is hereby established a European Court of Human Rights. The Court shall be constituted and shall function in accordance with the Articles contained in this Part and in the annexed Statute of the Court which forms an integral part of this Treaty.

B. The Court shall have jurisdiction to hear and determine all disputes concerning the enjoyment of human rights and fundamental freedoms provided for in this Treaty or in any Statute made under this Treaty. Subject to such conditions and restrictions as shall be contained in the Statute of the Court, the jurisdiction of the Court shall be both original and appellate and shall also extend to questions of interpretation arising in such disputes as are brought before administrative tribunals or administrative authorities.
C. The appellate jurisdiction shall extend to appeals from all decisions of the court of the State bound by the obligations contained in Article 3 of this Treaty, in which any question arises as to the enjoyment of human rights or fundamental freedoms.

D. The Court shall be open to any person or group of persons resident in Roumania. It shall also be open to any of the States signatories to this Treaty.

E. Each of the States referred to in Article 35 D and its instrumentalities shall comply with the judgment of the Court in any case to which the State is a party and with any order which the Court may make against it.

F. Any judgment or order made by the Court in favour of any person or group of persons within the jurisdiction of any of such States shall be fully effective according to its terms and the State or States affected by the judgment or order undertaken to enforce it accordingly.

G. Roumania undertakes that the provisions contained in Articles 35 A to F shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with these provisions, nor shall any law, regulation or official action prevail over them.

H. The Court shall also have jurisdiction, both original and appellate, to hear and determine disputes concerning such enjoyment of human rights and fundamental freedoms as shall be provided for in the treaties of peace which will be made by any of the Allied and Associated Powers with Italy, Bulgaria, Hungary, Finland, Austria or Germany.

I. The Court shall be composed of a body of independent judges, selected according to the standards laid down by the Charter of the United Nations for the election of judges of the International Court of Justice.

J. The Court shall consist of not less than three members appointed in the manner set out in the annexed Statute of the Court.

K. The Court shall make an annual report to the Economic and Social Council of the United Nations on the working of the Court in relation to the rights and freedoms within its jurisdiction. The Court may also make other reports to that Council if and when it thinks proper to do so". 
Article 35 - Re-Draft:

"A. There shall be a Treaty Executive Council composed of representatives of the U.S.A., France, the U.K. and U.S.S.R. and of three of the other Allied and Associated Powers elected by the Conference of Paris. The Council shall determine its own procedure. The Council shall represent the Allied and Associated Powers in dealing with the Roumanian Government in all matters concerning the interpretation and execution of the present Treaty other than those matters which are otherwise provided for under the Treaty.

B. The Council shall give the Roumanian Government such guidance, technical advice and clarification as may be necessary to ensure rapid and efficient compliance with the spirit and terms of the present Treaty.

C. The Roumanian Government undertakes to afford the Council all necessary information and any assistance it may require in the fulfillment of the tasks devolving on it under the present Treaty."

Article 36. Re-Draft as follows:

"Except where any other procedure is specifically provided under any article of the present Treaty, disputes concerning the interpretation or execution of the Treaty shall be referred to the Treaty Executive Council and if not resolved by it within a period of two months shall at the request of any party to any dispute, be referred to the International Court of Justice."

New article 36 (a):

"1. A Conference of the Allied and Associated Powers for the purpose of reviewing the Treaty or any part thereof may be held at as date and place to be fixed by a majority vote of two-thirds of the members of the Treaty Executive Council constituted by Article 35.

2. Any amendments of the Treaty recommended by a majority vote of two-thirds of the Conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Allied and Associated Powers including the U.S.A., France, the U.K. and the U.S.S.R.

3. If such a Conference has not been held before the expiration of five years from the coming into force of the present Treaty, a conference shall be held if so decided by a simple majority vote of the members of the Treaty Executive Council."

(NOTE. The Australian Delegation reserves the right to alter, modify or extend the above amendments and additions proposed.)
September, 1946

PARIS CONFERENCE
Secretariat of the Political
and Territorial Commission for Roumania

Letter addressed by the Australian Delegation to the
Secretariat of the Territorial and Political Commission
for Roumania

LIST OF AMENDMENTS PROPOSED BY THE AUSTRALIAN
DELEGATION TO THE DRAFT PEACE TREATY WITH ROUMANIA

Sir,

I refer to the Australian list of amendments and additional
proposals to the Draft Treaties furnished to the Secretary-General
of the Conference of Paris on August 20th, 1946. I now enclose the
exact text of the amendments and additional proposals already put
forward to the Draft Treaty with Roumania. It will be re-called that
in forwarding its amendments to the Draft Treaty with Italy the
Australian Delegation stated its intention of moving similar amend-
ments in respect to all treaties.

The attached amendments and additional proposals refer to the
following articles of the Treaty:

Part II. Political clauses. Article 3: new paragraph 2
        Article 6: amendment
        Article 9: new paragraph 3

New Part VII A. Court of Human Rights

Part VIII. Re-draft of Article 35 providing for a Treaty
        Executive Council

New Article 36 A providing for amendment to U.K.,
        U.S. proposed Article 36.

Accept, Sir, etc....
AUSTRALIAN DELEGATION

AMENDMENTS AND ADDITIONAL PROPOSALS TO DRAFT TREATY WITH

ROUMANIA

Article 3. Add new paragraph 2.

"2. Roumania undertakes that, in order to fulfil its obligations under paragraph 1 of this article, those obligations shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them".

Article 6. Paragraph 3.


substitute the words "Treaty Executive Council".

Article 9. Add new paragraph 3.

"3. The Government of Roumania shall apply for membership of the Food and Agricultural Organisation of the United Nations, the International Wheat Council, the International Health Organisation, and such other economic and social organisations as shall be brought into relationship with the United Nations, and shall co-operate with all those bodies in carrying out their decisions and recommendations. The Governments signatory to this Treaty undertake to support any such application made by the Government of Roumania".

Add new Part. Part VII (A) Court of Human Rights.

Article 35.

A. There is hereby established a European Court of Human Rights. The Court shall be constituted and shall function in accordance with the Articles contained in this Part and in the annexed Statute of the Court which forms an integral part of this Treaty.

B. The Court shall have jurisdiction to hear and determine all disputes concerning the enjoyment of human rights and fundamental freedoms provided for in this Treaty or in any Statute made under this Treaty. Subject to such conditions and restrictions as shall be contained in the Statute of the Court, the jurisdiction of the Court shall be both original and appellate and shall also extend to questions of interpretation arising in such disputes as are brought before administrative tribunals or administrative authorities.
C.P. (ROU/P) Doc. 7

3.

G. The appellate jurisdiction shall extend to appeals from all decisions of the court of the State bound by the obligations contained in Article 3 of this Treaty, in which any question arises as to the enjoyment of human rights or fundamental freedoms.

D. The Court shall be open to any person or group of persons resident in Roumania. It shall also be open to any of the States signatories to this Treaty.

E. Each of the States referred to in Article 35 D and its instrumentalities shall comply with the judgment of the Court in any case to which the State is a party and with any order which the Court may make against it.

F. Any judgment or order made by the Court in favour of any person or group of persons within the jurisdiction of any of such States shall be fully effective according to its terms and the State or States effected by the judgment or order undertaken to enforce it accordingly.

G. Roumania undertakes that the provisions contained in Articles 35 A to F shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with these provisions, nor shall any law, regulation or official action prevail over them.

H. The Court shall also have jurisdiction, both original and appellate, to hear and determine disputes concerning such enjoyment of human rights and fundamental freedoms as shall be provided for in the treaties of peace which will be made by any of the Allied and Associated Powers with Italy, Bulgaria, Hungary, Finland, Austria or Germany.

I. The Court shall be composed of a body of independent judges, selected according to the standards laid down by the Charter of the United Nations for the election of judges of the International Court of Justice.

J. The Court shall consist of not less than three members appointed in the manner set out in the annexed Statute of the Court.

K. The Court shall make an annual report to the Economic and Social Council of the United Nations on the working of the Court in relation to the rights and freedoms within its jurisdiction. The Court may also make other reports to that Council if and when it thinks proper to do so."
Article 35 - Re-Draft:

"A. There shall be a Treaty Executive Council composed of representatives of the U.S.A., France, the U.K. and U.S.S.R. and of three of the other Allied and Associated Powers elected by the Conference of Paris. The Council shall determine its own procedure. The Council shall represent the Allied and Associated Powers in dealing with the Roumanian Government in all matters concerning the interpretation and execution of the present Treaty other than those matters which are otherwise provided for under the Treaty.

B. The Council shall give the Roumanian Government such guidance, technical advice and clarification as may be necessary to ensure rapid and efficient compliance with the spirit and terms of the present Treaty.

C. The Roumanian Government undertakes to afford the Council all necessary information and any assistance it may require in the fulfilment of the tasks devolving on it under the present Treaty."

Article 36. Re-Draft as follows:

"Except where any other procedure is specifically provided under any article of the present Treaty, disputes concerning the interpretation or execution of the Treaty shall be referred to the Treaty Executive Council and if not resolved by it within a period of two months shall at the request of any party to any dispute, be referred to the International Court of Justice."

New article 36 (a):

"1. A Conference of the Allied and Associated Powers for the purpose of reviewing the Treaty or any part thereof may be held at as date and place to be fixed by a majority vote of two-thirds of the members of the Treaty Executive Council constituted by Article 35.

2. Any amendments of the Treaty recommended by a majority vote of two-thirds of the Conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Allied and Associated Powers including the U.S.A., France, the U.K. and the U.S.S.R.

3. If such a Conference has not been held before the expiration of five years from the coming into force of the present Treaty, a conference shall be held if so decided by a simple majority vote of the members of the Treaty Executive Council."

(Note: The Australian Delegation reserves the right to alter, modify or extend the above amendments and additions proposed)
PARIS CONFERENCE

Secretariat of the Political

and Territorial Commission for Roumania

Letter addressed by the Australian Delegation to the
Secretariat of the Territorial and Political Commission
for Roumania

LIST OF AMENDMENTS PROPOSED BY THE AUSTRALIAN
DELEGATION TO THE DRAFT PEACE TREATY WITH ROUMANIA

Sir,

I refer to the Australian list of amendments and additional
proposals to the Draft Treaties furnished to the Secretary-General
of the Conference of Paris on August 20th, 1946. I now enclose the
exact text of the amendments and additional proposals already put
forward to the Draft Treaty with Roumania. It will be re-called that
in forwarding its amendments to the Draft Treaty with Italy the
Australian Delegation stated its intention of moving similar amend-
ments in respect to all treaties.

The attached amendments and additional proposals refer to the
following articles of the Treaty:

Part II. Political clauses. Article 3: new paragraph 2

Article 6: amendment

Article 9: new paragraph 3

New Part VII A. Court of Human Rights

Part VIII. Re-draft of Article 35 providing for a Treaty

Executive Council

New Article 36 A providing for amendment to U.K.,
U.S. proposed Article 36.

Accept, Sir, etc.....
AUSTRALIAN DELEGATION

AMENDMENTS AND ADDITIONAL PROPOSALS TO DRAFT TREATY WITH ROUMANIA

Article 3. Add new paragraph 2.

"2. Roumania undertakes that, in order to fulfil its obligations under paragraph 1 of this article, those obligations shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them".

Article 6. Paragraph 3.


Article 9. Add new paragraph 3.

"3. The Government of Roumania shall apply for membership of the Food and Agricultural Organisation of the United Nations, the International Wheat Council, the International Health Organisation, and such other economic and social organisations as shall be brought into relationship with the United Nations, and shall co-operate with all those bodies in carrying out their decisions and recommendations. The Governments signatory to this Treaty undertake to support any such application made by the Government of Roumania".

Add new Part. Part VII (A) Court of Human Rights.

Article 35.

A. There is hereby established a European Court of Human Rights. The Court shall be constituted and shall function in accordance with the Articles contained in this Part and in the annexed Statute of the Court which forms an integral part of this Treaty.

B. The Court shall have jurisdiction to hear and determine all disputes concerning the enjoyment of human rights and fundamental freedoms provided for in this Treaty or in any Statute made under this Treaty. Subject to such conditions and restrictions as shall be contained in the Statute of the Court, the jurisdiction of the Court shall be both original and appellate and shall also extend to questions of interpretation arising in such disputes as are brought before administrative tribunals or administrative authorities.
G. The appellate jurisdiction shall extend to appeals from all decisions of the court of the State bound by the obligations contained in Article 3 of this Treaty, in which any question arises as to the enjoyment of human rights or fundamental freedoms.

D. The Court shall be open to any person or group of persons resident in Roumania. It shall also be open to any of the States signatories to this Treaty.

E. Each of the States referred to in Article 35 D and its instrumentalities shall comply with the judgment of the Court in any case to which the State is a party and with any order which the Court may make against it.

F. Any judgment or order made by the Court in favour of any person or group of persons within the jurisdiction of any of such States shall be fully effective according to its terms and the State or States affected by the judgment or order undertaken to enforce it accordingly.

G. Roumania undertakes that the provisions contained in Articles 35 A to F shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with these provisions, nor shall any law, regulation or official action prevail over them.

H. The Court shall also have jurisdiction, both original and appellate, to hear and determine disputes concerning such enjoyment of human rights and fundamental freedoms as shall be provided for in the treaties of peace which will be made by any of the Allied and Associated Powers with Italy, Bulgaria, Hungary, Finland, Austria or Germany.

I. The Court shall be composed of a body of independent judges, selected according to the standards laid down by the Charter of the United Nations for the election of judges of the International Court of Justice.

J. The Court shall consist of not less than three members appointed in the manner set out in the annexed Statute of the Court.

K. The Court shall make an annual report to the Economic and Social Council of the United Nations on the working of the Court in relation to the rights and freedoms within its jurisdiction. The Court may also make other reports to that Council if and when it thinks proper to do so". 
Article 35 - Re-Draft:

"A. There shall be a Treaty Executive Council composed of representatives of the U.S.A., France, the U.K. and U.S.S.R. and of three of the other Allied and Associated Powers elected by the Conference of Paris. The Council shall determine its own procedure. The Council shall represent the Allied and Associated Powers in dealing with the Romanian Government in all matters concerning the interpretation and execution of the present Treaty other than those matters which are otherwise provided for under the Treaty.

B. The Council shall give the Romanian Government such guidance, technical advice and clarification as may be necessary to ensure rapid and efficient compliance with the spirit and terms of the present Treaty.

C. The Romanian Government undertakes to afford the Council all necessary information and any assistance it may require in the fulfilment of the tasks devolving on it under the present Treaty."

Article 36, Re-Draft as follows:

"Except where any other procedure is specifically provided under any article of the present Treaty, disputes concerning the interpretation or execution of the Treaty shall be referred to the Treaty Executive Council and if not resolved by it within a period of two months shall at the request of any party to any dispute, be referred to the International Court of Justice."

New article 36 (a):

"1. A Conference of the Allied and Associated Powers for the purpose of reviewing the Treaty or any part thereof may be held at a date and place to be fixed by a majority vote of two-thirds of the members of the Treaty Executive Council constituted by Article 35.

2. Any amendments of the Treaty recommended by a majority vote of two-thirds of the Conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Allied and Associated Powers including the U.S.A., France, the U.K. and the U.S.S.R.

3. If such a Conference has not been held before the expiration of five years from the coming into force of the present Treaty, a conference shall be held if so decided by a simple majority vote of the members of the Treaty Executive Council."

(NOTE. The Australian Delegation reserves the right to alter, modify or extend the above amendments and additions proposed)
CONFÉRENCE DE PARIS
SECRETARIAT DE LA COMMISSION
POLITIQUE ET TERRITORIALE POUR LA ROUMANIE

Lettre adressée par la délégation de l'Australie au Secrétariat de la Commission Politique et Territoriale pour la Roumanie.

Amendements au projet de Traité de Paix avec la Roumanie proposés par la délégation de l'Australie.

Monsieur,

Je me réfère aux amendements et aux additions que la délégation de l'Australie propose d'apporter aux projets de Traités de paix et qu'elle fait parvenir au Secrétaire-Général de la Conférence de Paris le 20 août 1946. Je vous adresse ci-joint le texte mûre des propositions d'amendements et d'additions au projet de Traité avec la Roumanie que la délégation de l'Australie a déjà présentées. Je vous rappelle qu'en envoyant ses amendements au projet de Traité avec l'Italie, la délégation de l'Australie a formulé l'intention de présenter des amendements analogues pour tous les traités.

Les amendements et additions proposés dont le texte est ci-joint, concernent les articles suivants du Traité :

PARTIE II. Clauses politiques — Article 3, nouveau paragraphe 2
Article 6 : amendement
Article 9 : nouveau paragraphe 3

NOUVELLE PARTIE VII A. Tribunal des Droits de l'Homme.

PARTIE VIII Nouveau projet de rédaction de l'Article 35 prévoyant l'institution d'un Conseil Exécutif du Traité.

Nouvel article 36 A comportant un amendement à l'article 36 proposé par les délégations du Royaume-Uni et des États-Unis.

Veuillez etc....
DELEGATION DE L'AUSTRALIE

AMENDEMENTS ET ADDITIONS PROPOSÉS AU PROJET DE TRAITÉ

AVEC LA ROUMANIE

Article 3. Ajouter un nouveau paragraphe qui portera le N° 2 :

"2. La Roumanie prend l'engagement, en vue de remplir les obligations découlant du paragraphe 1 du présent article, que ces obligations seront tenues comme constituant des lois fondamentales ; elle s'engage en outre à faire en sorte qu'aucune loi, aucun règlement ou aucune mesure officielle ne soit en contradiction ou en opposition avec ces obligations, et qu'aucune loi, aucun règlement, ou aucune mesure officielle ne prévale sur elles."

Article 6. Paragraphe 3.

Remplacer les mots "aux chefs des missions diplomatiques à Bucarest des États-Unis d'Amérique, du Royaume-Uni et de l'U.R.S.S. qui se mettront d'accord sur le point soulevé" par "au Conseil exécutif du Traité qui se mettra d'accord sur le point soulevé".

Article 9. Ajouter un nouveau paragraphe qui portera le N° 3.


Ajouter une nouvelle partie intitulée : Partie VII. (A)) :

Tribunal des Droits de l'Homme.

"B. Le tribunal aura pleine compétence pour connaître et décider de tous différends concernant la jouissance des Droits de l'Homme et des libertés fondamentales qui font l'objet des dispositions du présent Traité ou de tout Statut établi en vertu du présent Traité. Sous réserve des conditions et des restrictions que pourra comporter le Statut du Tribunal, le tribunal sera compétent tant en première instance qu'en appel et sa juridiction s'étendra également aux questions d'interprétation soulevées dans les différends qui seront portés devant les tribunaux administratifs ou les autorités administratives.

"C. La juridiction d'appel s'étendra aux recours contre toutes décisions prises par le tribunal de l'État ayant souscrit aux obligations contenues dans l'article 3 du présent Traité, et qui mettent en cause, sous quelque forme que ce soit, la jouissance des Droits de l'Homme ou des libertés fondamentales.

"D. Le tribunal sera accessible à toute personne ou tout groupe de personnes résidant en Roumanie. Il sera également accessible à tout État signataire du présent Traité.

"E. Chacun des États visés à l'article 35 D. et les organismes qui en dépendent devront se conformer au jugement rendu par le tribunal dans toute affaire où l'État constitue l'une des parties, ainsi qu'à tout arrêt que le tribunal pourra rendre contre lui.

"F. Tout jugement ou arrêt rendu par le tribunal en faveur de toute personne ou de tout groupe de personnes relevant de la juridiction de l'un de ces États sera pleinement exécutoire selon sa lettre et l'État cu les États qui font l'objet de ce jugement ou arrêt s'engagent à l'appliquer en conséquence.

"G. La Roumanie prend l'engagement que les dispositions des articles 35 A. à 35 F. seront tenues comme constituant des lois fondamentales; elle s'engage en outre à faire en sorte qu'aucune loi, aucun règlement ou aucune mesure officielle ne soit en contradiction ou en opposition avec ces dispositions, et qu'aucune loi, aucun règlement ou aucune mesure officielle ne prévale contre elles.
H. Le Tribunal sera également compétent, tant en première instance qu'en appel, pour connaître et décider des différends concernant la jouissance des droits de l'homme et des libertés fondamentales pouvant faire l'objet de dispositions des traités de paix qui seront conclus par des Puissances Alliées et Associées avec l'Italie, la Bulgarie, la Hongrie, la Finlande, l'Autriche ou l'Allemagne.

I. Le Tribunal sera composé d'un ensemble de magistrats indépendants, choisis conformément aux normes fixées par la Charte des Nations Unies pour l'élection des juges de la Cour Internationale de Justice.

J. Le Tribunal sera composé de trois membres au moins, nommés selon la procédure définie dans le Statut du Tribunal joint en annexe.

K. Le Tribunal adressera au Conseil Économique et Social des Nations Unies un rapport annuel sur ceux de ses actes qui ont trait aux droits et libertés qui sont de sa compétence. Le Tribunal pourra également, lorsqu'il le jugera opportun, adresser d'autres rapports à ce Conseil.

(Renuméroter les articles suivants en conséquence.)

**Article 35 - Modifier la rédaction de cet article pour lui donner la forme suivante :**


2 - Le Conseil donnera au gouvernement roumain les conseils, avis techniques et éclaircissements qui pourraient être nécessaires pour assurer l'exécution rapide et efficace, tant dans la lettre que dans l'esprit du présent Traité."
3 - Le Gouvernement roumain s'engage à fournir au Conseil toutes les informations nécessaires et toute l'aide dont celui-ci pourra avoir besoin dans l'accomplissement des tâches qui lui seront dévolues par le présent Traité".

**Article 36 - Modifier la rédaction de cet article pour lui donner la forme suivante :**

"Exception faite des cas pour lesquels une autre procédure est expressément prévue par un article du présent Traité, les différends relatifs à l'interprétation ou à l'exécution du Traité seront soumis au Conseil Exécutif du Traité ; dans le cas où ces différends ne seraient pas résolus par le Conseil dans un délai de deux mois, ils seront soumis à la Cour Internationale de Justice, si l'une des parties à un différend quelconque le demande".

Insérer un nouvel article 36 (a) conçu dans les termes suivants :

"1 - Une Conférence des Puissances Alliées et Associées ayant pour objet la révision du Traité ou d'une partie quelconque de celui-ci pourra se tenir à une date et en un lieu qui seront fixés par un vote à la majorité, des deux tiers des membres du Conseil Exécutif du Traité institué par l'article 35.

2 - Tout amendement du Traité recommandé par un vote à la majorité des deux tiers des membres de la Conférence prendra effet quand il aura été ratifié conformément à leurs règles constitutionnelles respectives, par les deux tiers des Puissances Alliées et Associées y compris les États-Unis, la France, le Royaume-Uni et l'U.R.S.S.

3 - Si une telle conférence n'a pas eu lieu dans un délai de cinq ans à partir de la date de l'entrée en vigueur du présent Traité, une Conférence sera convoquée, s'il en est ainsi décidé par un vote à la majorité simple des membres du Conseil Exécutif du Traité".

**(NOTE : La délégation australienne se réserve le droit de changer, de modifier ou de développer les amendements et additions proposés ci-dessus).**
Mr. Chairman, Gentlemen,

The case which the Delegation of the Hungarian Government has put before you has already been heard several times in international courts. A first sentence was passed, twenty-five years ago, by the Peace Conference which put an end to the first world war. At that time Hungary put forward views similar to those to-day and supported them with practically identical arguments. The Conference passed judgment by giving the western boundary of Transylvania its present form. A long historical dispute thus found a just solution.

The debate flared up again when the sentence was being carried out on the spot. The Peace Conference of 1919 had set up a special Commission with power to rectify the frontier as set by the Treaty. This Commission again examined Hungary's claims which, then as to-day, aimed at a frontier rectification, and after several months of study and inquiry on the spot, the best it could do was to confirm the validity of the motives which had guided the Conference in determining the now Romanian-Hungarian border.

Twenty-five years later, at their meeting on 7 May, 1946, the four Ministers of Foreign Affairs of the Soviet Union, the United States, Great Britain and France made a fresh study of the case and their decision, endorsing that taken twenty-five years ago, reaffirmed the present western frontier of Transylvania.

Hungary again appeals against this ruling. The same claims as those which were examined and discussed twenty-five years ago are brought forward.

After the verdict pronounced by the great judges of yesterday those claims have met with an identical fate again to-day. Hungary, however, does not desist; Hungary enters an appeal.

Roumania was sincerely convinced that her unquestionable rights had been vindicated once and for all and she is greatly surprised to see a case re-opened which she thought was definitely settled.

The Delegation of the Hungarian Government doubtless thought that to re-open the debate was the right thing to do.
Very well. I will stand up for my country's rights.

Incidentally, I shall in the course of my remarks have to defend the decision taken on 7th May this year by the four Ministers of Foreign Affairs and prove that this ruling is in every way consonant with justice, with the vital interests of the Roumanian people and even with the interests of the Hungarian people.

Let me begin by a brief historical summary.

The frontier of 1st January, 1938, re-established by the decision of the four Ministers of Foreign Affairs, is the frontier of 1920. What exactly is this frontier and how was it fixed? In the first place, it confirmed a de facto situation arising out of the world war, in which enslaved populations, stirred to action by Wilson's principles, burst the chains of tyranny. Slovaks, Croats and Serbs in turn recovered their freedom as soon as the war was over and what the Roumanians did was merely to identify themselves with this act of historical emancipation.

Incidentally, I must rectify the Hungarian delegate's assertion that Transylvania was attached to Roumania without the population concerned having been consulted. The historical truth is that the Roumanian people who formed the absolute majority of the population first broke away from Hungary by a declaration made in the Budapest Parliament on 18th October, 1918, and afterwards, at a National Assembly held on 1st December 1918 at Alba-Jul ia, unanimously voted for the unconditional incorporation of Transylvania in the Kingdom of Roumania.

In 1919 the Peace Conference confirmed this act of self-determination of the Roumanian population of Transylvania which was so firmly attached to the soil of their province, the very cradle of the nation and which, throughout the hardships of centuries, remained a Roumanian province populated to-day as of yore by a Roumanian majority.

The frontier of 1920 is an ethnical frontier. Its course follows as ideally as possible the line of contact between the Roumanian and Hungarian elements. As ideally as possible, because the problem of an ethnical frontier was not easy to solve.

Historical changes, the occupation of Transylvania, by the Hungarians first and then its compulsory colonisation by Hungarians and Germans, have made several inroads into the homogeneous pattern of the Roumanian masses in Transylvania, creating in the midst of the autodéfense population small islands and enclaves of foreign elements. The enclave inhabited by the Székler, in particular, situated in the very centre of Roumania 300 km. from the present frontier made the fixing of an ideal frontier line impossible. Hence the long and tedious work of establishing an ethnical line of demarcation which the experts of the 1920 Conference had to carry out. The determination of the Roumano-Hungarian frontier was not the result of hasty work or arbitrary decisions. Even before the Conference of 1919 met a number of distinguished experts, chosen by the American Government had for several months been collecting exhaustive data with a view to establishing just and practical frontiers. According to the authentic declarations of one of the American experts, Professor Seymour, a close collaborator of Colonel House, the Commission of American Experts devoted much of its time to a study of the divergent points of view and checked them with the help of numerous statistics. Professor Seymour wrote that "in principle and in the absence of other determining motives - the boundaries were established in conformity with the ethnical division of the two peoples involved." But account had also to be taken of the physical structure of the disputed territories, the necessities of normal economic life and of means of communication.
These same American experts, including such people as Professor Coolidge of Harvard University, Charles Seymour of Yale, Douglas Johnson of Columbia, pursued their work at the Peace Conference in collaboration with specialists of a very high scientific and moral standing, appointed by the other Allied Nations, such as Professor de Martonne for France, Sir Eyre Crowe, Sir James Headlam-Morley, Allan Leeper and others, for Great Britain.

In their determination to draw boundaries as just and as lasting as possible, these experts, as well as the Allied Governments did not take into account the frontier agreed upon in the Treaty of Alliance concluded in 1916 between the Roumanian Government and the Allied Powers, including Russia, a frontier which lay much farther to the west, and was thus the advantage of Roumania.

The Draft Peace Treaty showing the new frontier was communicated to the Hungarian Delegation on 15th January 1920. This delegation submitted its point of view in numerous written and oral statements which were given thorough consideration.

The observations and demands made by Hungary about the frontier zone were no different from those laid before you the other day by Hungary.

On this point let me quote the covering letter addressed by President Millerand on 6th May, 1920, to the Hungarian Delegation: "Ethnical conditions in Central Europe", said this letter, "are such that it is impossible for political frontiers to coincide with ethnical frontiers throughout. As a consequence, and let me say that the Allied and Associated Powers were loath to admit this necessity, certain groups of Magyars will have to pass under the sovereignty of another nation. But this does not constitute a reason for arguing that it would have been better not to alter the former territorial states."

The Roumanian Government, however, was not satisfied. When the Treaty frontier was being demarcated on the spot, the Hungarian representative, relying on the power given to the Allied Demarcation Commission to send a report to the League of Nations on the Treaty provisions, which in its opinion might create an injustice which it would be advisable in the general interest to rectify, submitted on 7th September, 1921 claims very similar to those which the Hungarian representative has laid before you.

The Allied Boundary Commission together with the representatives of the two countries concerned, closely examined these claims. Members of the Commission went to nearly all the communes covered by the Hungarian claims. The outcome of this long and conscientious investigation was that the delegates of the Powers not directly concerned unanimously decided to maintain strictly the line established by the Treaty with certain minor rectifications.

The summing up by the Chairman of the Allied Demarcation Commission states that the decision was taken "following a detailed, absolutely impartial and entirely objective study made by the Commission on sections of the frontier reserved for the application of the covering letter of 6th May 1920."
It is therefore evident that the Demarcation Commission also confirmed the exactitude of the Roumano-Hungarian boundary line established after the First World War. It is against this achievement that the Delegation of the Hungarian Government is now protesting.

Before embarking on an examination of these claims we must always keep clearly in view and bear in mind the three grounds on which the former decision was based. They will, I feel sure, be those on which to-morrow's decision will be founded.

Firstly: the present frontier, demarcated in 1920, constitutes the most conservative western boundary of Roumanian ethnical territory. This territory contains the very cradle where the Roumanian nation developed in the course of history, as well as areas built up by a Roumanian majority, which has transformed it into an economic and political whole which can be neither divided nor impaired.

Secondly: if infiltrations are somewhat more frequent and Hungarian communities somewhat more numerous in the frontier districts, this is due to the fact that Roumanians were driven from the fertile plains to the poorer districts in the hills and mountains by dint of methodical pressure exercised day after day. The incorporation of these districts in the frontiers of the Roumanian State was necessary in order to facilitate the economic development of the Roumanian population, deliberately impoverished under Hungarian rule.

Thirdly: the territory included in the 1920 frontiers constitutes an economic unit no part of which could be severed without serious repercussions on the life of the entire community. The sole link between these districts of Transylvania is formed by the railway and parallel highway which, starting from the Danube, runs along the western frontier towards the North-East. Furthermore, the plains through which the frontier runs are rich in food resources indispensable to the neighbouring mountain districts, trade exchanges between these various districts being reciprocally beneficial to their economy as a whole. From the economic standpoint, Roumania's present frontier on the west is vital to the Transylvanian population.

Such were the motives which underlay the decisions of yesterday and it is in their light that we must assess the recent claims advanced by the Hungarian Delegation.

By way of preface to its claims, the Hungarian Delegation, in its recent Memorandum, maintains that the initiative in securing the Vienna Award of 30th August, 1940 came from the Roumanian Government then in power.

This statement is, to say the least of it, surprising.
The true nature of this "Diktat" is now revealed in all the political memoirs published, and has already been recorded in history. Hitler forced it on Roumania by dint of undisguised threats.

To regard such an act of violence, designed to mutilate Roumania, as coming from Roumania herself, would be a well-nigh incredible challenge to historical truth.

The Hungarian representative's interpretation of the fact that the United States failed to ratify the 1920 Treaty is just as unfounded. The reasons which led the United States to withhold their ratification of the peace treaties concluded after the First World War are too well-known to require stressing here.

Again by way of preface and to justify its territorial claims on Roumania, the Hungarian Government has levelled serious objections at the alleged ill-treatment of Hungarians living on Roumanian territory.

The Romanian Delegation wishes to state publicly that all these objections and complaints, which are completely unfounded, have been brought forward solely to create a wrong and unjust impression of the present position of Hungarians in Transylvania.

The steps taken by the democratic Roumanian Government to ensure that the Hungarian population of Transylvania is treated on an equal footing de facto and de jure with Roumanians, both individually and collectively, deserved quite a different response on the part of the Hungarian Government. The Romanian representatives were, therefore, greatly surprised by the Hungarian allegations.

In point of fact, the Hungarians in Transylvania have ample guarantees of civic freedom, and the free use of their mother-tongue; they have their fair share of public posts, and free access to all branches of economic activity.

The number of schools of all grades and categories entirely supported by the Roumanian State and at present at the disposal of the Transylvanian Hungarians is even greater than it was under Hungarian rule. The emoluments of Hungarian teachers in no way differ from those of their Romanian colleagues. Similarly, the Hungarian clergy and religious institutions are on exactly the same footing as Roumanian so far as their work and the State subsidies they receive are concerned.

Many of the Hungarian assertions are based on incomplete information, and have no foundation in fact. It is inaccurate to say that Hungarian property has been confiscated. It is inaccurate to say that there has been discrimination in the economic field. It is inaccurate to say that people have been expelled, or that arbitrary arrests have taken place.
If, in conformity with the Armistice Convention and acting on instructions received from the Allied Control Commission, the Romanian Government has had to take conservatory measures in respect of property belonging to a few individuals who forfeited Romanian nationality by following and voluntarily supporting enemy Fascist groups, such measures applied not only to Hungarians but also to Romanians found guilty of the same crime, and, above all, to members of the German minority who enlisted in Nazi organisations.

As for agrarian reform, the charges made in the Hungarian statement are little nearer the truth.

The Memorandum circulated to both Commissions by the Romanian representatives contains precise details which show that both the expropriation, and the distribution, of land to small farmers is effected without the slightest discrimination, and on the basis of the numbers of the various nationalities in the respective communes. Hungarians are represented in the same proportion as Romanians on all Commissions entrusted with the application of agrarian reform, and are even represented on the Central Commission at the Ministry of Agriculture.

Indeed, the Memorandum I have just mentioned refutes all the Hungarian accusations, point by point; I would ask you to be good enough to refer to it.

On the other hand, it should be stressed that the Hungarian complaints are in flagrant contradiction to the statements made by qualified representatives of the Transylvanian Hungarians, grouped together in the Hungarian People's Union. Time and again the latter have affirmed that Hungarians realise that the best way to guarantee the free development and peaceful existence of people of all nationalities in Transylvania is to maintain the existing territorial arrangement. At the same time, the Hungarians have expressed their confidence in and satisfaction with the policy followed by the democratic Romanian Government with regard to nationalities.

Indeed the resolution passed by the Central Executive Committee of the Hungarian People's Union - a party representing the quasi-totality of the Hungarian population - at its session on November 15 - 18, 1945, held in Targu-Muresh (Transylvania) states inter alia:

"We realise that the national problem in Transylvania is a problem not of frontiers, but of the progress of democracy and the re-opening of frontiers. We cannot approve any further attempt, whether emanating from the Romanian or the Hungarian side, by methods such as the Vienna diktat to convert Transylvania once again into a focus of war for the benefit of reactionary elements. We are grateful to the Groza Government for its efforts to guarantee our political rights, for the opportunity afforded us of receiving education in our mother-tongue, and for the protection of our economic interests".

Those are the true sentiments of the Hungarian community in Romania.
I must still dwell for a moment on two other assertions in the Hungarian statement.

The first is that, from 1918 to 1938, 200,000 Hungarian autochthons left Transylvania because of the treatment to which they were subjected. The other, that 300,000 Transylvanian Hungarians are at present debarred from holding Romanian nationality.

As regards the first assertion, this is refuted even by Hungarian publications which show that nearly 200,000 of the Hungarians in question left Transylvania by emigration or option immediately after the change of sovereignty, independently of any constraint.

As to the second, I will confine myself to stressing that the present Romanian Government granted Romanian nationality to all Hungarians who had held it prior to 30 August, 1940. The only people ineligible were, naturally, Hungarian nationals settled in Transylvania since the Horthy occupation, or persons of any nationality who threw in their lot with Nazi-ism and left Transylvania with Hitler's and Horthy's troops. The number of such persons is infinitely smaller than the figure cited by the Hungarian representative. More precise details are given in a Memorandum tabled by the Romanian representatives.

Let us now consider the claims brought forward by the Hungarian Delegation.

On 31st August, the Hungarian representative waived the claim to 22,000 sq. km. of land which his Government had previously insisted upon, and stated that Hungary would be satisfied with 4,000 sq. km. which, in his Government's view, would merely constitute a "readjustment" of the frontier. The Hungarian representative did not fail to stress that this area represented only 4% of the territory of Transylvania.

Thus, Hungary has dropped the idea of making sweeping demands, which were untenable in the light of actual facts and the principles of law, and embarks on the alternative path of seemingly harmless claims.

The Hungarian representative described his last claim as "modest". It should be observed that the earlier claim for 22,000 sq. km. of territory, was also described in the same way. Apparently, all Hungarian claims, of whatever extent, are modest.

Let us see, however, what they really amount to. The 4,000 sq. km. recently claimed by the Hungarian representative represent, it is true, only 4% of Transylvanian territory. But this territory of 4% is inhabited, not by a population corresponding to its size, but by not less than 3.5% of the total Transylvanian population. This is enough to show the importance of the claim.
Moreover, this very small area includes the three towns of Arad, Oradea and Satu-Mare, a consideration which, in spite of the Hungarian representative's assertion, is extremely important for Romania. Arad is the principal town of the department of the same name, which covers an area of 5,248 sq. kms, with 424,000 inhabitants.

Oradea is the country town of Sibiu, which has an area of 7,467 sq. kms. and a population of 510,000.

Lastly Satu-Mare is the country town of Satu-Mare which has an area of 4,242 sq. kms. and a population of 293,000.

These three towns, the centres of three large administrative and juridical districts, are the very key to the social, economic, cultural and religious life of all Western Transylvania.

To detach these towns from the territory of Transylvania would have the consequences which must be clear to any objective mind.

The immediate economic ruin of the Province would be the first result.

Transylvania - a vast basin surrounded by mountains - has, in its central part, only one important town, the capital Cluj. Cluj is an administrative and cultural centre of the first rank, but economically it is much less important than the three towns claimed by Hungary.

All the other towns important for the economic life of Transylvania are on the borders; to the south, the towns of Brasov and Sibiu and, to the west, these same towns of Arad, Oradea and Satu-Mare. These last three towns are situated near three important passes, where the valleys of Somes, Crisul and Mureş open out onto the plain. The loss of these towns would deprive an area of some 10,000 sq. kms. of its natural economic centres. It would thus finally lose all the outlets for its raw materials and all the sources of supplies of manufactured goods.

This is due to the fact that the economy of these three towns is closely linked up with the economy of a vast portion of Transylvania. To separate this region from its natural centres would mean to condemn both to irretrievable ruin.

The three towns claimed by the Hungarian Delegation are industrial town. Arad alone possesses no less than 110 steel, food chemical and textile industries; Oradea has 85 and Satu-Mare a considerable number. Now, if they are once deprived, by its cession to Hungary, of their eastern hinterland whence they receive all their raw materials and where they sell all their manufactured goods, the economic life of these three towns would speedily deteriorate or even completely collapse. The extraordinary growth of these towns since their incorporation into Romania in 1918, best shows how close this economic dependence is. May I quote some particularly eloquent figures on this point?
Between 1910 and 1930, the population of the town of Arad increased by over 22%, that of Oradea by nearly 29%, that of Satu-Mare by over 47.5%; this in spite of five years of war which created great depression in the district and of the fact that, between 1918 and 1924, many Hungarians took advantage of their right of option, to emigrate to Hungary.

The rise in the number of industrial concerns is even more striking: between 1918 and 1940, the number of these in Arad rose from 56 to 110 and in Oradea from 30 to 65 i.e., increases of 96% and 183% respectively.

As regards the town of Oradea in particular, the most obvious proof of its total dependence on the eastern regions, i.e., the rest of Transylvania, is shown by the balance-sheets of its banks during the four years of Hungarian domination following the Vienna diktat. 22 Hungarian credit institutions functioned in Oradea during this time. In 1943, the investments made these banks to the east of the 1920 frontier, i.e., in Ro<manian territory, amounted to Le< 1,500,715,000, or 999 per mille, whereas to the west of this frontier, i.e., in Hungarian territory, the investments only amounted to 1,518,600 Le<, hardly more than one per mille of the total sums invested.

These banks, during the same period, held in interest, bearing deposits 337,072,000 Le< belonging to persons living east of the 1920 frontier, i.e., more than 98% and only 6,527,000 Le< belonging to depositors in regions situated to the west of the frontier, i.e., less than 2% of the total deposits, For anyone with the slightest experience in economic matters these figures clearly show the special importance which the town of Oradea and its eastern hinterland have for one another.

On the other hand, the cession to Hungary of an area of 4,000 kms., claimed by the Hungarian Delegation would totally disorganize the railway system of a vast part of Transylvania, since the towns claimed by Hungary, being on the only railway line linking the north-east to the south-west and centre of the province, are indispensable communication centres of the regional railway system. Six railway lines radiate in six directions from Arad. Three lines start from Bacau, a small town in the area of 5,000 sq. kms; four from Carei and, lastly, four others from Satu-Mare.

If Romania were to lose the vital railway connecting northern and southern Transylvania and passing through Arad, Salonta, Oradea, Carei and Satu-Mare and the road running parallel to that railway, it would mean the total paralysis of an entire region, situated to the east and isolated from the rest of Transylvania by a mountainous barrier with no communications. A simple glance at the physical maps, one of which made in relief and showing in white the regions claimed by Hungary, is at the Commission's disposal, is sufficient to realise the insuperable geographical and technical difficulties that make the construction of a new railway line more to the east quite impossible.
The vital importance of these Transylvanian centres for the railway system was one of the reasons why the 1919 Peace Conference and the Commission then entrusted with the task of fixing on the spot the frontier between Romania and Hungary, decided to leave to Romania the towns of Arad, Oradea, Carei and Satu-Mare which are now claimed by Hungary. After the first world war, Professor H. Temperley published in London his well-known history of the Peace Conference. In it he spontaneously recognises that a frontier line which gave to Hungary the towns of Arad, Oradea and Satu-Mare would have been a crime as well as a blunder. "To deprive Transylvania of these towns," continues Professor Temperley, "would have made connections between the north and the south of the province impossible."

Further, the towns claimed by Hungary fulfil an indispensable, cultural function. They are important centres of education and of the religious life of the districts.

I may point out as regards the town of Arad, that even Hitler, when he "mutilated Transylvania by the Diktat of Vienna, did not dare to touch this town so dear to Romanians as recalling the fight for political and cultural emancipation which their forefathers waged. Yet the Hungarian Delegation is now claiming this town.

Thus, the territorial claims of Hungary would mean the truncation from the economic, communications, cultural and religious point of view, of all western Transylvania and, as a consequence, the disorganisation of the life of the population concerned.

Hungary, on the other hand, already possesses in the plain near the frontier, a succession of large urban centres like Nyíregyháza, Debrecen, Szolnok, Szeged, etc., which to a large degree meet the economic requirements of this region and are connected by a transversal railway.

By acts of violence against the Romanian population, by methodical infiltration and artificial colonisation, the former Hungarian rulers created in this integral part of Romanian soil an artificial ethnical situation which the Hungarian representative has not hesitated to exploit.

It is only as a result of this policy of violence that the Hungarian element in the territory claimed by Hungary now represents 57% (not 67% as stated the other day by the Hungarian representative) of the total population of this territory.

In the total population of 483,000 of this territory, the number of Hungarians is only 67,000 more than the number of other nationalities. How can it be seriously claimed that, because of this excess of 67,000 Hungarians, it would be fair to break the organic unity of 4 counties with 1,572,000 inhabitants and to disorganise a whole province?
Those who made the peace of 1920 were well acquainted with the ethnical position in the territory in question. Realizing, however, by what means this situation had been created and taking into account the economic communications and other considerations just explained, they, nevertheless, adhered to the only reasonable decision. To-day, as yesterday, the claim of the Hungarian Delegation view is, from our point of view inadmissible.

The Hungarian representative further requests that the Commission should invite both Delegations to start direct negotiations for the conclusion of special treaties concerning the protection of the rights of the Hungarian minority under the guarantee of the United Nations and the grant of a generous measure of local autonomy to the solid Hungarian racial group which lives in Eastern Transylvania.

I do not quite grasp the meaning of this invitation.

According to the Hungarian Delegate these negotiations should lead to the establishment of organic laws which would guarantee the rights of Hungarians living in Roumanian.

But such laws are already in force and have enabled the Roumanian Government to meet in advance all the requests which the Hungarian Government has just submitted regarding the Hungarian population of Transylvania.

The various Roumanian laws guarantee all Roumanian nationals the enjoyment of human rights and the fundamental freedoms, proclaim them all equal in the eye of the law and give them the same civic and political rights, as well as equal right of access to the public services and the practice of any trade or profession, without distinction as to race, language or religion. Every Roumanian citizen is entitled to decide for him or herself what is his mother tongue and what is his nationality and interference in this respect by any authority is forbidden and punished.

In private communications, any language can be used without any restrictions whatsoever. In communes and in administrative or judicial districts where 30% of the population speak another language than Roumanian, the inhabitants, both in administrative and legal matters, are entitled to use their mother tongue in their written and oral dealings with the authorities.

As regards education, apart from the church schools, the Government provides for pupils to be taught in their mother tongue in primary and senior elementary as well as in secondary schools, the teachers being recruited by preference from the respective nationality concerned.

A State University with four faculties, where the basic language is Hungarian, has been established at Cluj, the capital of the province, as well as a Musical and Dramatic Academy and two Hungarian State theatres at Cluj and Targu-Muresh.
It would be tedious to give details here of the number and categories of schools of all types available to the Hungarian population in Roumania and of what they cost the already heavily-burdened national budget. It is enough to recall that, compared with the Roumanian population, the Hungarians in Transylvania are in no way handicapped. The contrary would be nearer the truth.

With regard to religion, they enjoy complete freedom of belief and a very wide degree of independence in the appointment of their clergy and in the creation and administration of their church schools and management of property, the clergy of all denominations being paid by the State on a common basis according to rank or qualifications.

To conclude, it will be observed that any direct or indirect restrictions on the human rights of citizens on account of their race, religion or nationality, as well as any incitement to discrimination, hatred or contempt of any particular race, religion or nationality are severely punished by law.

Such is our new legislation.

Seeing that the Roumanian Government is already giving full satisfaction to the political, economic, cultural and religious needs of the Hungarian population of Transylvania it is entitled to consider that there is no justification for the request that local self-government should be given to the Hungarian population in Eastern Transylvania.

Such a solution, completely alien as it is to the political structure of Roumania, a State organised on a unitary basis, would only lead to anarchy and administrative chaos. It could not apply to Transylvania which forms a single organic unit and which needs for its development a uniform legislative and administrative system.

As it is clearly devoid of any practical meaning what end would really be served by the Hungarian Government's invitation? None, as far as we can see. Even if there were not this practical reason the Roumanian Government would, nevertheless, be unable to accept such an invitation on principle.

In view of the nature of the relations at present existing between sovereign States to oblige the Roumanian Government to discuss with another Government problems of internal organisation or to take legislative or administrative action under the influence of discussions which might have the semblance of orders would mean exposing Roumania to foreign interference and so lead to an abdication such as no man responsible for the destiny of an independent State could consider.

Once peace has been concluded Roumania will never refuse to hold friendly exchanges of views with Hungary on all questions concerning the consolidation of relations between our two countries. If, however, we were told to discuss now with the Hungarian Government the solution of problems exclusively affecting the domestic policy of Roumania, or problems dealing with the status of Roumanian citizens, it would certainly create confusion and have unforeseen consequences for the internal order and the consolidation of the Roumanian State.
After the unfortunate experiments made between the two wars with the treaties concluded in 1919 - 1920 which imposed minority obligations on one class of States only to the detriment of the principle of the legal equality of all States, the United Nations Charter adopted the broader conception of the international protection of human rights. As compared with the old minorities protection system this innovation had the advantage of establishing a uniform system for all parties, whether majorities or minorities, and protected the individual as such, irrespective of race, sex, language or religion.

Romania declares that she accepts not only all the international guarantees provided for in this field by the Charter but also any non-discriminatory procedure which would supplement where necessary such guarantees. She could not, however, agree to any system reminiscent of the old minorities statute, which was introduced after the first world war and did not have very happy consequences. Far from finding this statute an incentive to constructive activity, minorities regarded it rather as an encouragement to resistance and agitation, a tendency which was exploited to the utmost by revisionist circles. It would be a serious mistake to start such an experiment all over again.

To introduce in some treaties such as ours special measures for one class of States only would create a situation of inequality prejudicial to international co-operation and concord. Humanity should not be divided into States with minorities which are protected and States where minorities are not protected. Such a situation would conflict with the fundamental principles of the United Nations Organisation itself and would constitute a permanent source of agitation and disturbance.

In view of the above considerations Romania is unable to endorse the proposals contained in paragraphs 2 and 3 of the conclusions submitted by the representative of the Hungarian Delegation.

In his conclusion the representative of the Hungarian Delegation declared that the Hungarian nation wanted peace. Romania wants peace too. She has shown it by her acts and by the heavy sacrifices she has made in order that peace and concord should prevail throughout the world. And these sacrifices entitle Romania to ask other countries to submit to the same supreme injunctions which she herself obeys.

The new world, in the building up of which we would like to co-operate to the best of our power, cannot be created and cannot last unless all the forces of chauvinism and egotism are eliminated. It might perhaps be a good thing if all the nations examined or even re-examined their conscience. Romania has done this in her own case and it is for Hungary to do the same. The Romanians in Transylvania are willing to forget once and for all the humiliations and suffering they once experienced at the hands of Hungarians. To-day we are merely two nations seeking the path of final reconciliation, two peoples who desire to extend the hand of friendship to one another across the gulf of old hatreds and old conflicts. Such a reconciliation, however, can only be achieved by respecting the frontiers of Transylvania, by respecting the independence and sovereignty of the Romanian nation.
In the last stage of the war Roumania launched all her manpower against Germany and Hungary for the sake of those frontiers and that independence. In that war of world liberation the Roumanian nation mobilised all its reserves in men and its last material resources. Fourteen fully equipped Roumanian divisions joined in the fight which enabled the world to shake off the Nazi yoke and released Transylvania from bondage to Horthy. For eight months the Roumanian soldiers fought shoulder to shoulder with the gallant Soviet forces against the armies of Hitler and Horthy. We have in another connection listed the losses sustained by our army; 120,000 dead and wounded fell on the hills of Transylvania, the plains of Budapest and the valleys of the Tatras. It was precisely under the walls of Arad, Oradea and Satu-Mare, control of which Hungary is now contesting - it was under the walls of these towns and for their liberation that our soldiers shed the finest of their blood and that our best divisions were decimated.

Our soldiers died for the freedom of the world and for the freedom of Transylvania, for Transylvania was promised to the Roumanian armies. They died knowing that they were dying for the freedom of the whole of Transylvania and they expect that the promise made to them will be kept, though its fulfilment is now being delayed by a country which up to the last moment was fighting side by side with Hitler's troops against the forces of freedom. That is something which cannot and should not happen. To accept Hungary's claims would be an offense against international morality and a fatal historical mistake.

Mr. Chairman and Gentlemen, May I end by thanking the Commission for allowing the Roumanian Delegation to express itself so freely and frankly in defence of its country's interests. We shall always be deeply grateful to you for this. In conclusion the Roumanian Government wish to state that any action which might change the frontier between Roumania and Hungary would be tantamount to a denial of justice and would create a new centre of disturbance in this part of Europe and that any action aimed at involving the Roumanian Government in a discussion of its internal policy or constitutional laws would be regarded by it as an infringement of its independence and its sovereignty.

Accordingly, we beg to request that the decision of the Four Foreign Ministers made on 7th May, 1946, should be upheld and the claims advanced by the Hungarian Delegation rejected.
PARIS CONFERENCE
SECRETARIAT OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ROMANIA

Speech made by M. Tatarasanu, Head of the Roumanian Delegation, before a joint meeting of the Political and Territorial Commissions for Hungary and Roumania on 3 September, 1946 at 4 p.m.

Mr. Chairman, Gentlemen,

The case which the Delegation of the Hungarian Government has put before you has already been heard several times in international courts. A first sentence was passed, twenty-five years ago, by the Peace Conference which put an end to the first world war. At that time Hungary put forward views similar to those to-day and supported them with practically identical arguments. The Conference passed judgment by giving the western boundary of Transylvania its present form. A long historical dispute thus found a just solution.

The debate flared up again when the sentence was being carried out on the spot. The Peace Conference of 1919 had set up a special Commission with power to rectify the frontier as set by the Treaty. This Commission again examined Hungary's claims which, then as to-day, aimed at a frontier rectification, and after several months of study and inquiry on the spot, the best it could do was to confirm the validity of the motives which had guided the Conference in determining the new Roumano-Hungarian border.

Twenty-five years later, at their meeting on 7 May, 1946, the four Ministers of Foreign Affairs of the Soviet Union, the United States, Great Britain and France made a fresh study of the case and their decision, endorsing that taken twenty-five years ago, reaffirmed the present western frontier of Transylvania.

Hungary again appeals against this ruling. The same claims as those which were examined and discussed twenty-five years ago are brought forward.

After the verdict pronounced by the great judges of yesterday those claims have met with an identical fate again to-day. Hungary, however, does not desist; Hungary enters an appeal.

Roumania was sincerely convinced that her unquestionable rights had been vindicated once and for all and she is greatly surprised to see a case re-opened which she thought was definitely settled.

The Delegation of the Hungarian Government doubtless thought that to re-open the debate was the right thing to do.
Very well. I will stand up for my country's rights.

Incidentally, I shall in the course of my remarks have to defend the decision taken on 7th May this year by the four Ministers of Foreign Affairs and prove that this ruling is in every way consonant with justice, with the vital interests of the Roumanian people and even with the interests of the Hungarian people.

Let me begin by a brief historical summary.

The frontier of 1st January, 1938, re-established by the decision of the four Ministers of Foreign Affairs, is the frontier of 1920. What exactly is this frontier and how was it fixed? In the first place, it confirmed a de facto situation arising out of the world war, in which enslaved populations, stirred to action by Wilson's principles, burst the chains of tyranny. Slovaks, Croats and Serbs in turn recovered their freedom as soon as the war was over and what the Roumanians did was merely to identify themselves with this act of historical emancipation.

Incidentally, I must rectify the Hungarian delegate's assertion that Transylvania was attached to Roumania without the population concerned having been consulted. The historical truth is that the Roumanian people who formed the absolute majority of the population first broke away from Hungary by a declaration made in the Budapest Parliament on 16th October, 1918, and afterwards, at a National Assembly held on 1st December 1918 at Alba-Julia, unanimously voted for the unconditional incorporation of Transylvania in the Kingdom of Roumania.

In 1919 the Peace Conference confirmed this act of self-determination of the Roumanian population of Transylvania which was so firmly attached to the soil of their province, the very cradle of the nation and which, throughout the hardships of centuries, remained a Roumanian province populated to-day as of yore by a Roumanian majority.

The frontier of 1920 is an ethnical frontier. Its course follows as ideally as possible the line of contact between the Roumanian and Hungarian elements. As ideally as possible, because the problem of an ethnical frontier was not easy to solve.

Historical changes, the occupation of Transylvania, by the Hungarians first and then its compulsory colonisation by Hungarians and Germans, have made several inroads into the homogeneous pattern of the Roumanian masses in Transylvania, creating in the midst of the autochthone population small islands and enclaves of foreign elements. The enclave inhabited by the Szeklers, in particular, situated in the very centre of Roumania 300 km. from the present frontier made the fixing of an ideal frontier line impossible. Hence the long and tedious work of establishing an ethnical line of demarcation which the experts of the 1920 Conference had to carry out. The determination of the Roumano-Hungarian frontier was not the result of hasty work or arbitrary decisions. Even before the Conference of 1919 met a number of distinguished experts, chosen by the American Government had for several months been collecting exhaustive data with a view to establishing just and practical frontiers. According to the authentic declarations of one of the American experts, Professor Seymour, a close collaborator ofColonel House, the Commission of American Experts devoted much of its time to a study of the divergent points of view and checked them with the help of numerous statistics. Professor Seymour wrote that "in principle and in the absence of other determining motives—the boundaries were established in conformity with the ethnical division of the two peoples involved." But account had also to be taken of the physical structure of the disputed territories, the necessities of normal economic life and of means of communication.
These same American experts, including such people as Professor Coolidge of Harvard University, Charles Seymour of Yale, Douglas Johnson of Columbia, pursued their work at the Peace Conference in collaboration with specialists of a very high scientific and moral standing, appointed by the other Allied Nations, such as Professor de Martonne for France, Sir Eyre Crowe, Sir James Headlam-Morley, Allan Leeper and others, for Great Britain.

In their determination to draw boundaries as just and as lasting as possible, these experts, as well as the Allied Governments did not take into account the frontier agreed upon in the Treaty of Alliance concluded in 1916 between the Romanian Government and the Allied Powers, including Russia, a frontier which lay much farther to the west, and was thus the advantage of Romania.

The Draft Peace Treaty showing the new frontier was communicated to the Hungarian Delegation on 15th January 1920. This delegation submitted its point of view in numerous written and oral statements which were given thorough consideration.

The observations and demands made by Hungary about the frontier zone were no different from those laid before you the other day by Hungary.

On this point let me quote the covering letter addressed by President Millerand on 6th May, 1920, to the Hungarian Delegation: "Ethical conditions in Central Europe", said this letter, "are such that it is impossible for political frontiers to coincide with ethical frontiers throughout. As a consequence, and let me say that the Allied and Associated Powers were loath to admit this necessity, certain groups of Magyars will have to pass under the sovereignty of another nation. But this does not constitute a reason for arguing that it would have been better not to alter the former territorial states."

The Hungarian Government, however, was not satisfied. When the Treaty frontier was being demarcated on the spot, the Hungarian representative, relying on the power given to the Allied Demarcation Commission to send a report to the League of Nations on the Treaty provisions, which in its opinion might create an injustice which it would be advisable in the general interest to rectify, submitted on 7th September, 1921 claims very similar to those which the Hungarian representative has laid before you.

The Allied Boundary Commission together with the representatives of the two countries concerned, closely examined these claims. Members of the Commission went to nearly all the communes covered by the Hungarian claims. The outcome of this long and conscientious investigation was that the delegates of the Powers not directly concerned unanimously decided to maintain strictly the line established by the Treaty with certain minor rectifications.

The summing up by the Chairman of the Allied Demarcation Commission states that the decision was taken "following a detailed, absolutely impartial and entirely objective study made by the Commission on sections of the frontier reserved for the application of the covering letter of 6th May 1920."
It is therefore evident that the Reparation Commission also confirmed the existence of the Romanian-Hungarian boundary line established after the First World War. It is against this achievement that the Delegation of the Hungarian Government is now protesting.

Before embarking on an examination of these claims we must always keep clearly in view and bear in mind the three grounds on which the former decision was based. They will, I feel sure, be those on which to-morrow's decision will be founded.

Firstly: the present frontier, demarcated in 1920, constitutes the most conservative western boundary of Romanian ethnical territory. This territory contains the very cradle where the Romanian nation developed in the course of history, as well as areas built up by a Romanian majority, which has transformed it into an economic and political whole which can be neither divided nor impaired.

Secondly: if infiltrations are somewhat more frequent and Hungarian communities somewhat more numerous in the frontier districts, this is due to the fact that Romanians were driven from the fertile plains to the poorer districts in the hills and mountains by dint of methodical pressure exercised day after day. The incorporation of these districts in the frontiers of the Romanian State was necessary in order to facilitate the economic development of the Romanian population, deliberately impoverished under Hungarian rule.

Thirdly: the territory included in the 1920 frontiers constitutes an economic unit no part of which could be severed without serious repercussions on the life of the entire community. The sole link between these districts of Transylvania is formed by the railway and parallel highway which, starting from the Danube, runs along the western frontier towards the North-East. Furthermore, the plains through which the frontier runs are rich in food resources indispensable to the neighbouring mountain districts, trade exchanges between these various districts being reciprocally beneficial to their economy as a whole. From the economic standpoint, Romania's present frontier on the west is vital to the Transylvanian population.

Such were the motives which underlay the decisions of yesterday and it is in their light that we must assess the recent claims advanced by the Hungarian Delegation.

By way of preface to its claims, the Hungarian Delegation, in its recent Memorandum, maintains that the initiative in securing the Vienna Award of 30th August, 1940 came from the Romanian Government then in power.

This statement is, to say the least of it, surprising.
The true nature of this "Diktat" is now revealed in all the political memoirs published, and has already been recorded in history. Hitler forced it on Roumania by dint of undisguised threats.

To regard such an act of violence, designed to mutilate Roumania, as coming from Roumania herself, would be a well-nigh incredible challenge to historical truth.

The Hungarian representative's interpretation of the fact that the United States failed to ratify the 1920 Treaty is just as unfounded. The reasons which led the United States to withhold their ratification of the peace treaties concluded after the First World War are too well-known to require stressing here.

Again by way of preface and to justify its territorial claims on Roumania, the Hungarian Government has levelled serious objections at the alleged ill-treatment of Hungarians living on Roumanian territory.

The Roumanian Delegation wishes to state publicly that all these objections and complaints, which are completely unfounded, have been brought forward solely to create a wrong and unjust impression of the present position of Hungarians in Transylvania.

The steps taken by the democratic Roumanian Government to ensure that the Hungarian population of Transylvania is treated on an equal footing de facto and de jure with Roumanians, both individually and collectively, deserved quite a different response on the part of the Hungarian Government. The Roumanian representatives were, therefore, greatly surprised by the Hungarian allegations.

In point of fact, the Hungarians in Transylvania have ample guarantees of civic freedom, and the free use of their mother-tongue; they have their fair share of public posts, and free access to all branches of economic activity.

The number of schools of all grades and categories entirely supported by the Roumanian State and at present at the disposal of the Transylvanian Hungarians is even greater than it was under Hungarian rule. The emoluments of Hungarian teachers in no way differ from those of their Roumanian colleagues. Similarly, the Hungarian clergy and religious institutions are on exactly the same footing as Roumanian so far as their work and the State subsidies they receive are concerned.

Many of the Hungarian assertions are based on incomplete information, and have no foundation in fact. It is inaccurate to say that Hungarian property has been confiscated. It is inaccurate to say that there has been discrimination in the economic field. It is inaccurate to say that people have been expelled, or that arbitrary arrests have taken place.
If, in conformity with the Armistice Convention and acting on instructions received from the Allied Control Commission, the Romanian Government has had to take conservatory measures in respect of property belonging to a few individuals who forfeited Romanian nationality by following and voluntarily supporting enemy Fascist groups, such measures applied not only to Hungarians but also to Romanians found guilty of the same crime, and, above all, to members of the German minority who enlisted in Nazi organisations.

As for agrarian reform, the charges made in the Hungarian statement are little nearer the truth.

The Memorandum circulated to both Commissions by the Romanian representatives contains precise details which show that both the expropriation, and the distribution, of land to small farmers is effected without the slightest discrimination, and on the basis of the numbers of the various nationalities in the respective communes. Hungarians are represented in the same proportion as Romanians on all Commissions entrusted with the application of agrarian reform, and are even represented on the Central Commission at the Ministry of Agriculture.

Indeed, the Memorandum I have just mentioned refutes all the Hungarian accusations, point by point; I would ask you to be good enough to refer to it.

On the other hand, it should be stressed that the Hungarian complaints are in flagrant contradiction to the statements made by qualified representatives of the Transylvanian Hungarians, grouped together in the Hungarian People's Union. Time and again the latter have affirmed that Hungarians realise that the best way to guarantee the free development and peaceful existence of people of all nationalities in Transylvania is to maintain the existing territorial arrangement. At the same time, the Hungarians have expressed their confidence in and satisfaction with the policy followed by the democratic Romanian Government with regard to nationalities.

Indeed the resolution passed by the Central Executive Committee of the Hungarian People's Union - a party representing the quasi-totality of the Hungarian population - at its session on November 15 - 18, 1945, held in Targu-Muresh (Transylvania) states inter alia:

"We realise that the national problem in Transylvania is a problem not of frontiers, but of the progress of democracy and the re-opening of frontiers. We cannot approve any further attempt, whether emanating from the Romanian or the Hungarian side, by methods such as the Vienna diktat to convert Transylvania once again into a focus of war for the benefit of reactionary elements. We are grateful to the Groza Government for its efforts to guarantee our political rights, for the opportunity afforded us of receiving education in our mother-tongue, and for the protection of our economic interests".

Those are the true sentiments of the Hungarian community in Romania.
I must still dwell for a moment on two other assertions in the Hungarian statement.

The first is that, from 1918 to 1938, 200,000 Hungarian autochthons left Transylvania because of the treatment to which they were subjected. The other, that 300,000 Transylvanian Hungarians are at present debarred from holding Romanian nationality.

As regards the first assertion, this is refuted even by Hungarian publications which show that nearly 200,000 of the Hungarians in question left Transylvania by emigration or option immediately after the change of sovereignty, independently of any constraint.

As to the second, I will confine myself to stressing that the present Romanian Government granted Romanian nationality to all Hungarians who had held it prior to 30 August, 1940. The only people ineligible were, naturally, Hungarian nationals settled in Transylvania since the Horthy occupation, or persons of any nationality who threw in their lot with Nazi-ism and left Transylvania with Hitler's and Horthy's troops. The number of such persons is infinitely smaller than the figure cited by the Hungarian representative. More precise details are given in a Memorandum tabled by the Romanian representatives.

Let us now consider the claims brought forward by the Hungarian Delegation.

On 31st August, the Hungarian representative waived the claim to 22,000 sq. km. of land which his Government had previously insisted upon, and stated that Hungary would be satisfied with 4,000 sq. km. which, in his Government's view, would merely constitute a "readjustment" of the frontier. The Hungarian representative did not fail to stress that this area represented only 4% of the territory of Transylvania.

Thus, Hungary has dropped the idea of making sweeping demands, which were untenable in the light of actual facts and the principles of law, and embarks on the alternative path of seemingly harmless claims.

The Hungarian representative described his last claim as "modest". It should be observed that the earlier claim for 22,000 sq. km. of territory, was also described in the same way. Apparently, all Hungarian claims, of whatever extent, are modest.

Let us see, however, what they really amount to. The 4,000 sq. km. recently claimed by the Hungarian representative represent, it is true, only 4% of Transylvanian territory. But this territory of 4% is inhabited, not by a population corresponding to its size, but by not less than 8.5% of the total Transylvanian population. This is enough to show the importance of the claim.
Moreover, this very small area includes the three towns of Arad, Oradea and Satu-Mare, a consideration which, in spite of the Hungarian representative's assertion, is extremely important for Romania. Arad is the principal town of the department of the same name, which covers an area of 5,248 sq. kms. with 424,000 inhabitants.

Oradea is the country town of Sibiu, which has an area of 7,467 sq. kms. and a population of 510,000.

Lastly Satu-Mare is the county town of Satu-Mare which has an area of 4,242 sq. kms. and a population of 295,000.

These three towns, the centres of three large administrative and juridical districts, are the very key to the social, economic, cultural and religious life of all Western Transylvania.

To detach these towns from the territory of Transylvania would have the consequences which must be clear to any objective mind.

The immediate economic ruin of the Province would be the first result.

Transylvania - a vast basin surrounded by mountains - has, in its central part, only one important town, the capital Cluj. Cluj is an administrative and cultural centre of the first rank, but economically it is much less important than the three towns claimed by Hungary.

All the other towns important for the economic life of Transylvania are on the borders; to the south, the towns of Brasov and Sibiu and, to the west, these same towns of Arad, Oradea and Satu-Mare. These last three towns are situated near three important passes, where the valleys of Somesh, Cris and Muresh open out onto the plain. The loss of these towns would deprive an area of some 10,000 sq. kms. of its natural economic centres. It would thus finally lose all the outlets for its raw materials and all the sources of supplies of manufactured goods.

This is due to the fact that the economy of these three towns is closely linked up with the economy of a vast portion of Transylvania. To separate this region from its natural centres would mean to condemn both to irretrievable ruin.

The three towns claimed by the Hungarian Delegation are industrial town. Arad alone possesses no less than 110 steel, food chemical and textile industries; Oradea has 85 and Satu-Mare a considerable number. Now, if they are once deprived, by its cession to Hungary, of their eastern hinterland whence they receive all their raw materials and where they sell all their manufactured goods, the economic life of these three towns would speedily deteriorate or even completely collapse. The extraordinary growth of these towns since their incorporation into Romania in 1918, but shows how close this economic dependence is. May I quote some particularly eloquent figures on this point?
Between 1910 and 1930, the population of the town of Arad increased by over 22%, that of Oradea by nearly 29%, that of Satu-Mare by over 47.5%; this in spite of five years of war which created great depression in the district and of the fact that, between 1918 and 1924, many Hungarians took advantage of their right of option, to emigrate to Hungary.

The rise in the number of industrial concerns is even more striking: between 1918 and 1940, the number of these in Arad rose from 56 to 110 and in Oradea from 30 to 65 i.e. increases of 96% and 183% respectively.

As regards the town of Oradea in particular, the most obvious proof of its total dependence on the eastern regions, i.e. the rest of Transylvania, is shown by the balance-sheets of its banks during the four years of Hungarian domination following the Vienna diktat, 82 Hungarian credit institutions functioned in Oradea during this time. In 1943, the investments made these banks to the east of the 1920 frontier, i.e. in Romanian territory, amounted to Lei 1,500,715,000, or 999 per mille, whereas to the west of this frontier, i.e. in Hungarian territory, the investments only amounted to 1,518,600 Lei, hardly more than one per mille of the total sums invested.

These banks, during the same period, held in interest, bearing deposits 337,072,000 Lei belonging to persons living east of the 1920 frontier, i.e. more than 98% and only 6,527,000 Lei belonging to depositors in regions situated to the west of the frontier, i.e. less than 2% of the total deposits. For anyone with the slightest experience in economic matters these figures clearly show the special importance which the town of Oradea and its eastern hinterland have for one another.

On the other hand, the cession to Hungary of an area of 4,000 kms., claimed by the Hungarian Delegation would totally disorganise the railway system of a vast part of Transylvania, since the towns claimed by Hungary, being on the only railway line linking the north-east to the south-west and centre of the province, are indispensable communication centres of the regional railway system. Six railway lines radiate in six directions from Arad. Three lines start from Sacuenei, a small town in the area of 4,000 sq. kms.; four from Carei and, lastly, four others from Satu-Mare.

If Romania were to lose the vital railway connecting northern and southern Transylvania and passing through Arad, Salonta, Oradea, Carei and Satu-Mare and the road running parallel to that railway, it would mean the total paralysis of an entire region, situated to the east and isolated from the rest of Transylvania by a mountaneous barrier with no communications. A simple glance at the physical maps, one of which made in relief and showing in white the regions claimed by Hungary, is at the Commission's disposal, is sufficient to realise the insuperable geographical and technical difficulties that make the construction of a new railway line more to the east quite impossible.
The vital importance of these Transylvanian centres for the railway system was one of the reasons why the 1919 Peace Conference and the Commission then entrusted with the task of fixing on the spot the frontier between Roumania and Hungary, decided to leave to Roumania the towns of Arad, Oradea, Carei and Satu-Mare which are now claimed by Hungary. After the first world war, Professor H. Temperley published in London his well-known history of the Peace Conference. In it he spontaneously recognises that a frontier line which gave to Hungary the towns of Arad, Oradea and Satu-Mare would have been a crime as well as a blunder. "To deprive Transylvania of these towns," continues Professor Temperley, "would have made connections between the north and the south of the province impossible."

Further, the towns claimed by Hungary fulfil an indispensable, cultural function. They are important centres of education and of the religious life of the districts.

I may point out as regards the town of Arad, that even Hitler, when he mutilated Transylvania by the Diktat of Vienna, did not dare to touch this town so dear to Roumanians as recalling the fight for political and cultural emancipation which their forefathers waged. Yet the Hungarian Delegation is now claiming this town.

Thus, the territorial claims of Hungary would mean the truncation from the economic, communications, cultural and religious point of view, of all western Transylvania and, as a consequence, the disorganisation of the life of the population concerned.

Hungary, on the other hand, already possesses in the plain near the frontier, a succession of large urban centres like Nyireghaza, Debrecen, Szolnok, Szeged, etc., which to a large degree meet the economic requirements of this region and are connected by a transversal railway.

By acts of violence against the Roumanian population, by methodical infiltration and artificial colonisation, the former Hungarian rulers created in this integral part of Roumanian soil an artificial ethnical situation which the Hungarian representative has not hesitated to exploit.

It is only as a result of this policy of violence that the Hungarian element in the territory claimed by Hungary now represents 57% (not 67% as stated the other day by the Hungarian representative) of the total population of this territory.

In the total population of 483,000 of this territory, the number of Hungarians is only 67,000 more than the number of other nationalities. How can it be seriously claimed that, because of this excess of 67,000 Hungarians, it would be fair to break the organic unity of 4 counties with 1,572,000 inhabitants and to disorganise a whole province?
Those who made the peace of 1920 were well acquainted with the ethical
position in the territory in question. Realising, however, by what means this
situation had been created and taking into account the economic communications
and other considerations just explained, they, nevertheless, adhered to the
only reasonable decision. To-day, as yesterday, the claim of the Hungarian
Delegation view is, from our point of view inadmissible.

The Hungarian representative further requests that the Commission should
invite both Delegations to start direct negotiations for the conclusion of
special treaties concerning the protection of the rights of the Hungarian
minority under the guarantee of the United Nations and the grant of a generous
measure of local autonomy to the solid Hungarian racial group which lives in
Eastern Transylvania.

I do not quite grasp the meaning of this invitation.

According to the Hungarian Delegate these negotiations should lead to the
establishment of organic laws which would guarantee the rights of Hungarians
living in Romania.

But such laws are already in force and have enabled the Romanian
Government to meet in advance all the requests which the Hungarian Government
has just submitted regarding the Hungarian population of Transylvania.

The various Romanian laws guarantee all Romanian nationals the enjoyment
of human rights and the fundamental freedoms, proclaim them all equal in the eye
of the law and give them the same civic and political rights, as well as equal
right of access to the public services and the practice of any trade or
profession, without distinction as to race, language or religion. Every
Romanian citizen is entitled to decide for him or herself what is his mother
tongue and what is his nationality and interference in this respect by any
authority is forbidden and punished.

In private communications, any language can be used without any restrictions
whatsoever. In communes and in administrative or judicial districts where 30% of
the population speak another language than Romanian, the inhabitants, both
in administrative and legal matters, are entitled to use their mother tongue in
their written and oral dealings with the authorities.

As regards education, apart from the church schools, the Government provides
for pupils to be taught in their mother tongue in primary and senior elementary
as well as in secondary schools, the teachers being recruited by preference
from the respective nationality concerned.

A State University with four faculties, where the basic language is
Hungarian, has been established at Cluj, the capital of the province, as well as
a Musical and Dramatic Academy and two Hungarian State theatres at Cluj and
Targu-Muresh.
It would be tedious to give details here of the number and categories of schools of all types available to the Hungarian population in Romania and of what they cost the already heavily-burdened national budget. It is enough to recall that, compared with the Romanian population, the Hungarians in Transylvania are in no way handicapped. The contrary would be nearer the truth.

With regard to religion, they enjoy complete freedom of belief and a very wide degree of independence in the appointment of their clergy and in the creation and administration of their church schools and management of property, the clergy of all denominations being paid by the State on a common basis according to rank or qualifications.

To conclude, it will be observed that any direct or indirect restrictions on the human rights of citizens on account of their race, religion or nationality, as well as any incitement to discrimination, hatred or contempt of any particular race, religion or nationality are severely punished by law.

Such is our new legislation.

Seeing that the Romanian Government is already giving full satisfaction to the political, economic, cultural and religious needs of the Hungarian population of Transylvania it is entitled to consider that there is no justification for the request that local self-government should be given to the Hungarian population in Eastern Transylvania.

Such a solution, completely alien as it is to the political structure of Romania, a State organised on a unitary basis, would only lead to anarchy and administrative chaos. It could not apply to Transylvania which forms a single organic unit and which needs for its development a uniform legislative and administrative system.

As it is clearly devoid of any practical meaning what end would really be served by the Hungarian Government's invitation? None, as far as we can see. Even if there were not this practical reason the Romanian Government would, nevertheless, be unable to accept such an invitation on principle.

In view of the nature of the relations at present existing between sovereign States to oblige the Romanian Government to discuss with another Government problems of internal organisation or to take legislative or administrative action under the influence of discussions which might have the semblance of orders would mean exposing Romania to foreign interference and so lead to an abdication such as no man responsible for the destiny of an independent State could consider.

Once peace has been concluded Romania will never refuse to hold friendly exchanges of views with Hungary on all questions concerning the consolidation of relations between our two countries. If, however, we were told to discuss now with the Hungarian Government the solution of problems exclusively affecting the domestic policy of Romania, or problems dealing with the status of Romanian citizens, it would certainly create confusion and have unforeseen consequences for the internal order and the consolidation of the Romanian State.
After the unfortunate experiments made between the two wars with the treaties concluded in 1919 - 1920 which imposed minority obligations on one class of States only to the detriment of the principle of the legal equality of all States, the United Nations Charter adopted the broader conception of the international protection of human rights. As compared with the old minorities protection system this innovation had the advantage of establishing a uniform system for all parties, whether majorities or minorities, and protected the individual as such, irrespective of race, sex, language or religion.

Romania declares that she accepts not only all the international guarantees provided for in this field by the Charter but also any non-discriminatory procedure which would supplement where necessary such guarantees. She could not, however, agree to any system reminiscent of the old minorities statute, which was introduced after the first world war and did not have very happy consequences. Far from finding this statute an incentive to constructive activity, minorities regarded it rather as an encouragement to resistance and agitation, a tendency which was exploited to the utmost by revisionist circles. It would be a serious mistake to start such an experiment all over again.

To introduce in some treaties such as ours special measures for one class of States only would create a situation of inequality prejudicial to international co-operation and concord. Humanity should not be divided into States with minorities which are protected and States where minorities are not protected. Such a situation would conflict with the fundamental principles of the United Nations Organisation itself and would constitute a permanent source of agitation and disturbance.

In view of the above considerations Romania is unable to endorse the proposals contained in paragraphs 2 and 3 of the conclusions submitted by the representative of the Hungarian Delegation.

In his conclusion the representative of the Hungarian Delegation declared that the Hungarian nation wanted peace. Romania wants peace too. She has shown it by her acts and by the heavy sacrifices she has made in order that peace and concord should prevail throughout the world. And these sacrifices entitle Romania to ask other countries to submit to the same supreme injunctions which she herself obeys.

The new world, in the building up of which we would like to co-operate to the best of our power, cannot be created and cannot last unless all the forces of chauvinism and egoism are eliminated. It might perhaps be a good thing if all the nations examined or even re-examined their conscience. Romania has done this in her own case and it is for Hungary to do the same. The Romanians in Transylvania are willing to forget once and for all the humiliations and suffering they once experienced at the hands of Hungarians. Today we are merely two nations seeking the path of final reconciliation, two peoples who desire to extend the hand of friendship to one another across the gulf of old hatreds and old conflicts. Such a reconciliation, however, can only be achieved by respecting the frontiers of Transylvania, by respecting the independence and sovereignty of the Romanian nation.
In the last stage of the war Roumania launched all her manpower against Germany and Hungary for the sake of those frontiers and that independence. In that war of world liberation the Roumanian nation mobilised all its reserves in men and its last material resources. Fourteen fully equipped Roumanian divisions joined in the fight which enabled the world the shake off the Nazi yoke and rebase Transylvania from bondage to Horthy. For eight months the Roumanian soldiers fought shoulder to shoulder with the gallant Soviet forces against the armies of Hitler and Horthy. We have in another connection listed the losses sustained by our army; 120,000 dead and wounded fell on the hills of Transylvania, the plains of Budapest and the valleys of the Tatras. It was precisely under the walls of Arad, Oradea and Satu-Mare, control of which Hungary is now contesting - it was under the walls of these towns and for their liberation that our soldiers shed the finest of their blood and that our best divisions were decimated.

Our soldiers died for the freedom of the world and for the freedom of Transylvania, for Transylvania was promised to the Roumanian armies. They died knowing that they were dying for the freedom of the whole of Transylvania and they expect that the promise made to them will be kept, though its fulfilment is now being delayed by a country which up to the last moment was fighting side by side with Hitler's troops against the forces of freedom. That is something which cannot and should not happen. To accept Hungary's claims would be an offense against international morality and a fatal historical mistake.

Mr. Chairman and Gentlemen, May I end by thanking the Commission for allowing the Roumanian Delegation to express itself so freely and frankly in defence of its country's interests. We shall always be deeply grateful to you for this. In conclusion the Roumanian Government wish to state that any action which might change the frontier between Roumania and Hungary would be tantamount to a denial of justice and would create a new centre of disturbance in this part of Europe and that any action aimed at involving the Roumanian Government in a discussion of its internal policy or constitutional laws would be regarded by it as an infringement of its independence and its sovereignty.

Accordingly, we beg to request that the decision of the Four Foreign Ministers made on 7th May, 1946, should be upheld and the claims advanced by the Hungarian Delegation rejected.