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TOP SECRETCopy No. 30C.P.(48) 8314TH MARCH, 1948CABINETFIVE-POWER TREATYNote by the Secretary of State for
Foreign Affairs

I circulate herewith for the approval of my colleagues the draft Five-Power Treaty as provisionally agreed on 12th March by the diplomatic representatives of the five Governments in Brussels.

E.B.

Foreign Office, S.W.1.,

14th March, 1948.

Draft Five-Power Treaty as provisionally agreed
on the morning of 12th March by the Diplomatic
Representatives of the five Governments in Brussels

His Royal Highness the Prince Regent of Belgium, the President of the French Republic, Her Royal Highness the Grand Duchess of Luxemburg, Her Majesty the Queen of the Netherlands, and His Majesty the King of Great Britain and Northern Ireland and the British Dominions beyond the Seas

Resolved

To reaffirm their faith in fundamental human rights, in the dignity and worth of the human person and in the other ideals proclaimed in the Charter of the United Nations;

To fortify and preserve the principles of democracy, personal freedom and political liberty, the rule of law and constitutional traditions, all of which are their common heritage;

To strengthen, with these aims in view, the economic, social and cultural ties by which they are already united;

To co-operate loyally and to co-ordinate their efforts to create in Western Europe a firm basis for European economic recovery;

To afford assistance to each other, in accordance with the Charter of the United Nations, in maintaining international peace and security and in resisting a policy of aggression;

To take such steps as may be held to be necessary in the event of a renewal by Germany of a policy of aggression;

To associate progressively in the pursuance of these aims other States inspired by the same ideals and animated by the like determination;

Desiring for these purposes to conclude a treaty for collaboration in economic, social and cultural matters and for collective self-defence.

Have appointed as their Plenipotentiaries:

His Royal Highness the Prince Regent of Belgium

The President of the French Republic

Her Royal Highness the Grand Duchess of Luxemburg

Her Majesty the Queen of the Netherlands

His Majesty the King of Great Britain and Northern Ireland
and the British Dominions beyond the Seas for the United
Kingdom of Great Britain and Northern Ireland

who, having exhibited their full powers found in good and due form

Have agreed as follows:

Article I.

Convinced of the close community of their interests and of the necessity of uniting in order to promote the economic recovery of Europe, the High Contracting Parties will so organise and co-ordinate their economic activities as to produce the greatest possible returns,* by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges.

We propose to substitute this by "possible results"

The co-operation provided for in the preceding paragraph which will be effected through the Consultative Council referred to in Article VII as well as through other bodies, shall not involve any duplication of, or prejudice to, the work of other economic organisations in which the High Contracting Parties are or may be represented but shall on the contrary assist the work of those organisations.

Article II.

The High Contracting Parties will make every effort in common, both by direct consultation and in specialised agencies, to promote the attainment of a higher standard of living by their people and to develop on corresponding lines the social and other related services of their countries.

Not yet finally approved

The High Contracting Parties will consult with the object of achieving the earliest possible application of recommendations relating to social matters and of immediate practical interest, adopted with their approval in the specialised agencies.

They will endeavour to conclude as soon as possible conventions with each other in the sphere of social security.

Article III.

The High Contracting Parties will make every effort in common to lead their people towards a better understanding of the principles which form the basis of their common civilisation and to promote cultural exchanges by conventions between themselves or otherwise.

Article IV.

If any High Contracting Party should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter, afford the Party so attacked all the military and other aid and assistance in their power.

Article V.

All measures taken as a result of the preceding article shall be immediately reported to the Security Council. They shall be terminated as soon as the Security Council has taken the measures necessary to maintain or restore international peace and security.

The present treaty does not prejudice in any way the obligations of the High Contracting Parties under the provisions of the Charter of the United Nations. It shall not be interpreted as effecting in any way the authority and responsibility of the Security Council under the Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Article VI.

The High Contracting Parties declare, each so far as he is concerned, that none of the international engagements now in force between him and any other High Contracting Party or any third state is in conflict with the provisions of the present Treaty.

None of the High Contracting Parties will conclude any alliance or participate in any coalition directed against any other High Contracting Party.

Article VII.

For the purpose of consulting together on all the questions dealt with in the present Treaty, the High Contracting Parties will create a Consultative Council, which shall be so organized as to be able to exercise its functions continuously. The Council shall meet at such times as it shall deem fit.

At the request of any High Contracting Party, the

Council shall be immediately convened in order to permit the High Contracting Parties to consult with regard to the attitude to be adopted and the steps to be taken in case of the renewal by Germany of an aggressive policy; with regard to any situation which may constitute a threat to peace in whatever area this threat should arise; or with regard to any situation constituting a danger to economic stability.

Article VIII.

In pursuance of their determination to settle disputes only by peaceful means, the High Contracting Parties will apply to disputes between themselves the following provisions:

The High Contracting Parties will, while the present treaty remains in force, settle all disputes falling within the scope of Article 36 (2) of the Statute of the International Court of Justice by referring them to the Court subject only, in the case of each of them to any reservation already made by that Party when accepting this clause for compulsory jurisdiction to the extent that that Party may maintain the reservation.

In addition, the High Contracting Parties will submit to conciliation all disputes outside the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice.

In the case of a mixed dispute involving both questions for which conciliation is appropriate and other questions for which judicial settlement is appropriate, any Party to the dispute shall have the right to insist that the judicial settlement of the legal questions shall precede conciliation.

The preceding provisions of this Article in no way affect the application of relevant provisions or agreements prescribing some other method of pacific settlement.

Article IX.

The High Contracting Parties may by agreement invite any other State to accede to the present Treaty on conditions to be agreed between them and the State so invited.

Any State so invited may become a Party to the Treaty by depositing an instrument of accession with the Government of Belgium.

The Government of Belgium will inform each of the High Contracting Parties of the deposit of each instrument of accession.

Article X.

1. The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Government of Belgium.

2. It shall enter into force on the date of the deposit of the last instrument of ratification and shall thereafter remain in force for fifty years.

3. After the expiry of the period of fifty years, each of the High Contracting Parties shall have the right to cease to be a party thereto provided that he shall have previously given one year's notice of denunciation to the Government of Belgium.

4. The Government of Belgium shall inform the other High Contracting Parties of the deposit of each instrument of ratification and of each notice of denunciation.

In witness whereof, the above mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Brussels, this day of 1948, in English and French, each text being equally authentic, in a single copy which shall remain deposited in the archives of the Government of Belgium and of which certified copies shall be transmitted by that Government to each of the other signatories.

