

S E C R E T

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COPY NO. 12J.C.S. 1595/125 January 1946Pages 32-35, incl.*Cute No.**98/17*JOINT CHIEFS OF STAFFMILITARY, NAVAL AND AIR CLAUSES OF THE TREATIES  
OF PEACE WITH RUMANIA, BULGARIA AND HUNGARYReferences: a. J.C.S. 1595  
b. J.C.S. 1509 SeriesReport by the Joint Strategic Survey CommitteeTHE PROBLEM

1. To submit recommendations to the Joint Chiefs of Staff on J.C.S. 1595 (SWNCC 244), a report by the State-War-Navy ad hoc committee on the above subject.

DISCUSSION

2. See Enclosure "B".

RECOMMENDATION

3. That the memorandum in Enclosure "A" be forwarded to the State-War-Navy Coordinating Committee.

ENCLOSURE "A"D R A F TMEMORANDUM FOR THE STATE-WAR-NAVY COORDINATING COMMITTEE

The Joint Chiefs of Staff have considered the report of the State-War-Navy ad hoc Committee on Military Naval and Air Clauses of the Treaties of Peace with Rumania, Bulgaria and Hungary, circulated as SWNCC 244.

The Joint Chiefs of Staff would point out that the treaties as drafted authorize each of these nations, pending admission into the United Nations Organization, to "direct the future activities" of its forces (in addition to maintaining internal security and frontier defense) to furnishing such armed forces for "the support of the purposes of the United Nations..... as may be required by the Security Council." (Paragraphs 1, 2 and 3 of Article 23 of the draft treaties for Rumania and Bulgaria, and paragraphs 1 and 2 of Article 23 of the draft treaty for Hungary).

As there is no provision in the United Nations Charter which authorizes non-member nations to contribute military forces for this purpose, no obligation will exist in this regard until these nations actually become members of the United Nations Organization. It is not considered advisable to include this item as one of the undertakings of the treaties as it would encourage and permit the present Governments of Rumania, Bulgaria and Hungary to raise armed forces in excess of their minimum defensive and internal security requirements. Thus the terms imposed by the peace treaties could be used as authorization for increasing the size of their military establishments to such an extent as to be potentially inimical to United States' aims and policies and threaten the peace of southeastern Europe. It is therefore recommended that appropriate changes be made to delete this authorization for forces for the support of the United Nations from the report of the ad hoc Committee.

Subject to the above comment, the Joint Chiefs of Staff perceive no military objection to the proposed military, naval and air clauses contained in Appendices "C", "D" and "E" of SWNCC 244.

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To include such a provision as a basis for determining the size and composition of the armed forces of these nations, before they are admitted as members of the United Nations Organization, would be to encourage and permit them to raise armed forces in excess of their minimum defensive and internal security requirements. Thus, under the ~~guise~~<sup>guise</sup> of meeting future obligations to the United Nations Organization, the governments currently in power in Rumania, Bulgaria and Hungary might well use this provision of the peace treaty to increase the size of their military establishments to such an extent as to be potentially inimical to United States' aims and policies.

3. A general undertaking for the use of military forces to "support the United Nations" was included in the draft treaty of peace for Italy (J.C.S. 1509, approved as amended by the Joint Chiefs of Staff on 4 October 1945). This undertaking, however, is not considered a precedent for the very specific authorizations provided in the three subject treaties now under consideration since the situations with regard to Rumania, Bulgaria and Hungary are not parallel to that of Italy because of geographical location and because of the latter's mandated territories.