

MINUTE SHEET.

Reference C245-120/41

H. E.

The points which you have to raise with Mr. Berle about the Declaration are the following:-

1. Inclusion of Luxemburg.
2. Inclusion of phrase about social security.
3. Order in which the Dominions come in the preamble. What is wanted is to have all the Dominions grouped together and presumably in their right order - i.e. U.K., Canada, Australia, New Zealand, South Africa, (India).

4. Question of the Free French. If the Free French are not to be allowed to be one of the original signatories of the Declaration, then it should be clearly understood that they may accede to the Declaration immediately afterwards. As at present drafted, the accession clause only provides for accession by "nations". It would make the position clearer if the words "or authorities" could be inserted after "nations". The F.O. originally suggested that the words "or authority" should be inserted after the word "Government" wherever this occurred throughout the Declaration in order to enable the Free French to sign as an original signatory, and I am not sure that the words should not still be inserted in order to cover the position of the Free French, even if the latter are only to accede.

I am afraid that London will be very upset that the President has ruled that the Free French may not be an original signatory of the Declaration. It might ease matters if we could get some definite undertaking from the S.D. beforehand that there would be no difficulties about the Free French acceding immediately. It is, I think, important to be sure that Mr. Hopkins's message will really be carried out by the S.D.

*Alfred...*

December 30th, 1941.

FRHM:HK



Cabinet feels that we ought not to consent to arrangement by which various states of British Commonwealth are separated in list. It has been the practice hitherto in inter-Allied declarations to group together the Commonwealth states in view of their common sovereignty and this is the rule which should govern the present case. To depart from this precedent now may well give us a great deal of trouble later on. In St. James' Palace Declaration the Commonwealth Governments were grouped together, although the Declarations were inter-Governmental in form. It is particularly desirable at the present moment to emphasize the fact that separate members of the British Commonwealth are acting together. What are the special reasons advanced by the President which make it necessary for us to give this concession?

2. It is true that in the case of international declarations and treaties practice has been to use either (1) recital of heads of States in which case United Kingdom and Dominions are grouped under The King; or (2) to refer to "Government of United Kingdom etc." in which case alphabetical order of countries is strictly adhered to but we would not wish to extend the practice under (2) to inter-allied declarations such as the present.

3. You probably will inform Dominion representatives of views contained in paragraph one above.

4. The Viceroy's view is that India should be associated with declaration but that this should be done with the assent of his Council which he is consulting. He promises to let us know as soon as he

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has their answer. We are telegraphing text of declaration to the Government of India.

5. The Cabinet also note with great regret that there is no reference to social security in revised declaration.