

September 21st, 1945.

WER/AG.

PERSONAL AND CONFIDENTIAL

My dear Noel-Baker,

Your interesting letter marked "strictly personal and confidential", dated September 13th, 1945, was handed to me this afternoon at Valavran at 1.50 P.M.

As you will readily recognise, it was impossible to construe your recommendation very narrowly and at the same time send you a reply that would be in any way helpful. It is therefore with the authorisation of those whose opinion counts for far more than mine that I asked your excellent Minister in Berne to be good enough to send you the following wire:

"Letter September 13 received only September 21 afternoon cordial thanks Stop Enclave suggestion has been submitted to thorough legal study by our Foreign Office Stop Tentative conclusions expert show grave constitutional and great practical difficulties Stop In order to make positive proposals Government would have to submit question to Parliament and probably to popular referendum after ascertaining views France Stop In view certain delay and uncertain result would seem unwise base policy on doubtful acceptance suggestion Stop Federal Government of course happy if Geneva seat and very anxious restore relations with Moscow Am writing".

As I do not wish to bother you with an interminable letter, I shall add but a very brief comment.

We are all fully aware over here of the difficulties arising out of the present position, which in fact is strangely similar to that with which we were faced twenty-six years ago. Then also, Switzerland's entrance into the League of Nations was uncertain at the time the seat of the League was fixed at Geneva. Let us try to look upon that precedent as encouraging !

When the idea of the enclave was first brought to our attention some months ago, the people at Berne

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were inclined to look upon it as too adventurous to be taken seriously. After my recent visit to London, however, they went into it very thoroughly and asked a member of our Federal Tribunal to examine the problem it raises in its legal and constitutional aspects. There is no doubt that the cession, were it only on a long lease, of national territory, is a matter of the highest importance, as everything that deals with the political independence and territorial integrity of any state. The smallness of Switzerland and of the Canton of Geneva and the fact that an enclave going from the Lake to the French frontier would separate the city of Geneva from Switzerland, still further enhances the delicacy of the problem. As it is one which cannot be solved by the Federal Government alone and still less, of course, by the Conseil d'Etat of the Canton of Geneva, it is impossible to base any policy on the assumption that the Federal Parliament and the people at the polls would be prepared to make the necessary concessions.

What remains certain, on the other hand, is that the Federal Government and the large majority of the Swiss people would be very happy to see the new organisation take the place of the old in Geneva if that could be done under conditions satisfactory both to the United Nations and to Switzerland. As this would depend on the still uncertain relations which it would be found possible to establish between that mighty organisation and this tiny state, it is obvious to me that nothing final can be arranged at this juncture.

What is certain also is the unanimous desire of the Swiss Government to hasten the re-establishment of normal diplomatic relations with Moscow. I mention this circumstance here and in my wire in connection with the first sentence of the second paragraph of your letter.

I fully realise how unsatisfactory my reply to your letter may strike you, but I am sure that on reflection you will recognise as I do that it could hardly be otherwise and I am not without hope for future developments.

Holding myself at your entire disposal both here and in London for any service which you think I might be able to render, I am,