

*Austrian State Treaty*

union and France. At the time of the negotiation other countries were not consulted, but provision was made for the accession of those countries which had participated in the war against nazi Germany. The Austrian government desires, and I think rightly, that as many friendly countries as possible should accede to this treaty and have invited Canada to do so. At the time of the announcement made by the late secretary of state for external affairs, Brazil, Czechoslovakia, Mexico, New Zealand, Poland and Yugoslavia had exercised similar rights of accession.

It is not my purpose to outline in detail the lengthy and difficult negotiations which preceded the signing of the treaty. In the years following the war numerous efforts were made, both by the western occupying powers in direct negotiation with the U.S.S.R., and in the United Nations, to persuade the Soviet union to conclude a peace treaty with Austria, but it was not until 1955 that a change of attitude by the U.S.S.R. became apparent. The treaty was signed by the five foreign ministers on May 15, 1955. Austria thus regained its sovereignty, as I said a moment ago, and in December of the same year became a member of the United Nations. Accession by Canada does not mean an increase in Canada's international obligations. Under section 2 of the treaty there is provision made whereby Canada would undertake to respect the independence and territorial integrity of Austria, but this in no way results in any additional obligations other than those which derive from the membership of Canada and Austria in the United Nations. No complication can arise either from the fact of Austria's neutrality, which was established by legislative action in Austria following the re-establishment of Austrian independence.

Under article 27 (1) of the treaty it is stated that the allied and associated powers intend to return Austrian property and that they will be prepared to conclude agreements with the Austrian government for this purpose. It might be of interest to note that the balance of Austrian assets still vested in the custodian of enemy property as of March 31 of this year was \$36,604. These assets will be returned, or are being returned, to the former owners or to their respective heirs or successors at law, so that that particular section does not bring about any additional responsibilities.

The question might be raised as to the reason why there has been a delay. A number of countries have delayed acceding to the treaty pending the settlement of certain financial claims which those countries have against Austria. The satisfactory status of Canadian claims against Austria does not warrant any delay in acceding to the treaty.

I mentioned a moment ago that the Austrian authorities attach considerable importance to Canadian accession, and that desire on the part of Austria has been a major consideration in the decision of the government to take this action. Following the announcement by the late secretary of state for external affairs, the Austrian foreign minister wrote as follows:

The Austrian government has charged me to express to you its warmest gratitude for your government's action concerning Canada's accession to the Austrian state treaty. My government welcomes this step as a further confirmation of the friendly and most cordial relations between our two countries. I need not assure you that the statement you kindly made on that occasion is highly appreciated throughout my country.

The relations between Canada and Austria are on the basis of friendship and understanding, and this further step will but underline the emphasis on that friendly relationship. I think it is well to recall how Canadians as a whole felt in the fall of 1956 because of the manner in which Austrian authorities gave assistance to Hungarian refugees, a conspicuous demonstration of Austria's adherence to the humanitarian and democratic ideals which are emphasized in the treaty. The Austrian state treaty is the foundation for Austria's existence as a state. Canada has recognized it and has established with Austria a normal diplomatic relationship. The house in this resolution expresses, in the words of the late secretary of state for external affairs, our friendship and sympathy for a country whose achievements we admire.

With these considerations in mind, Mr. Speaker, I hope the house will agree that it is appropriate and fitting for Canada to accede to the Austrian state treaty.

**Hon. L. B. Pearson (Leader of the Opposition):** Mr. Speaker, we on this side are happy to support what the Prime Minister (Mr. Diefenbaker) has just said and to accede to this resolution covering a state treaty for the re-establishment of an independent and democratic Austria. A state treaty of this kind was required because of the fact that a normal peace treaty covering Austria could not in the nature of things be concluded as before the war Austria had no independent existence, since it had been annexed.

The preamble to the state treaty states: "Annexed on March 31, 1938 by Hitlerite Germany and incorporated into the German reich of that date." A special state treaty was therefore required in order to return to the happier situation which existed in Austria before that annexation.

The Prime Minister has mentioned, and I recall them, the reasons why there has been some delay in dealing with this matter. At