

ANNEX II A

Extemporaneous Statement by the United States Secretary of State (the Hon. John Foster Dulles) at the Fourth Plenary Meeting

Mr. Chairman, at the time when we thought that the European Defence Community Treaty would promptly be put to a vote of the French Parliament—that was some time last Spring—the United States indicated that it would be prepared to make a declaration with respect to its intentions as to the maintenance of armed forces in Europe in the event that the European Defence Community Treaty should come into force. The text of that message was communicated to the six nations that were signatory to the European Defence Community Treaty, and also to the United Kingdom. The essence of that declaration was that the United States would continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary to contribute its fair share of the forces needed for the joint defence of the North Atlantic area while the threat to that area exists, and that we would continue to maintain such forces in accordance with the agreed North Atlantic strategy for the defence of this area.

There were other provisions of that Declaration, in fact there were six, one of which related to treating the North Atlantic Treaty as a treaty of indefinite duration, rather than only for a fixed period of years.

I do not need, I think, to read the full text of that Declaration, because it has, as I say, been communicated to all of the Governments who are represented here. You doubtless are already familiar with, and can readily consult, the text which was sent to you at that time.

That Declaration was made, as I say, in anticipation of the coming into force of the European Defence Community Treaty. The Declaration was made after consultation with the leaders of both parties in the Congress of the United States. It would have been as solemn and definitive an obligation as the United States is constitutionally capable of making in this matter.

I should perhaps explain that under our constitutional system the President of the United States is Commander-in-Chief of the armed forces of the United States, and as such has the right to determine their disposition. That is a right which cannot be impaired by action by the Congress. Also, while Congress has no authority to deprive the President of his right as Commander-in-Chief of the armed forces to make such disposition of those forces as he believes to be in the interest of the security of the United States, it is equally the case that one President of the United States is not constitutionally able to bind his successors in this matter. Each President of the United States comes into office enjoying the right to dispose of the armed forces of the United States as he thinks best serves the interests of the United States in accordance with the advice which he gets from his military advisers. Therefore it is not constitutionally possible for the United States by treaty, by law or any other way to make a legally binding, fixed commitment to maintain any predetermined quota of armed forces in any particular part of the world for any particular period of time. It is nevertheless possible for the President to define a policy which in his opinion makes it appropriate to maintain certain elements of the armed forces of the United States in certain areas in pursuance of that policy. And if the policy is a basic and fundamental one it is extremely unlikely that that allocation of forces would be altered.