

sense of Article 38~~[40]~~ of the Treaty of Peace which reads as follows:

"1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 37~~[39]~~, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

"2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding."

3. His Majesty's Government in the United Kingdom, the Canadian Government, the Australian Government and the New Zealand Government have accordingly decided to invoke the procedure laid down in this Article for the settlement of such disputes and I shall be glad if you will inform me at an early date when you will be prepared to meet my Soviet colleague and myself in order that we may take cognizance of this in the manner prescribed in the Peace Treaty.

4. A similar note is being addressed to the Soviet representative and copies are being forwarded to the Roumanian ~~[Hungarian]~~ Ministry of Foreign Affairs.