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September 7, 1950

The Honorable,
Dr. Gholam-Hosseine Khochbine
Chief Judge of the Civil Division
of the Supreme Court of Iran
Embassy of Iran
3005 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Dr. Khochbine:

This is to explain the meaning of the first two sentences of paragraph (3) of the proposed statement by the State Department. They are as follows:

"It is the intention of both parties that the Commission shall determine what quantities of water have in the past and do at present reach the delta area and shall study the effect on the quantities of water reaching the delta area of works now existing, in construction or in present contemplation. It is understood that this is provided for by items a(1) and a(4) under "Functions"."

The second sentence is not a limitation on the first. The second sentence is a "face saving" formula to make it appear that it was all along intended that "the Commission shall determine what quantities of water have in the past and do at present reach the delta area and shall study the effect

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on the quantities of water reaching the data area of works now existing, in construction or in present contemplation." The fact that the language of items a(1) and a(4) has not seemed to us broad enough to include the determinations and studies provided for in the explanation has been corrected by the explanation. The legal effect is the same -- if the Afghans accept the explanation -- as though the explanation were added as a part of items a(1) and a(4).

Mr. Halla of the State Department agrees with the foregoing.

Sincerely yours,

(Signed) JOHN G. LAYLIN

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