

June 29, 1951

His Excellency,
Ambassador Nasrollah Entezam
Embassy of Iran
3005 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Mr. Ambassador:

Permit me to refer again to the inquiry of your Government with respect to a sixty-day period for reply to the recommendations of the advisory Commission and to my letter of June 20, 1951. Dr. Khochbine has brought to our attention a memorandum that constitutes Appendix 5 of the report prepared in Teheran for the internal use of the Iranian Government on the Hirmand River question. This appendix is a copy of a document entitled "Verbatim Text of Observations By the Government of Afghanistan Upon the Memorandum Concerning the Helmand River Basin". The appendix does not show the date of the document, but we are told by Mr. Halla of the State Department that it was dated June 22, 1948 and was in response to a memorandum prepared by the State Department dated February 20, 1948 and handed informally to representatives of Iran and Afghanistan.

That memorandum states in the second paragraph of Article VI:

"Iran and Afghanistan, after having received said recommendations which shall be submitted to the respective Governments in Teheran and Kabul by the American Embassies, shall announce their agreements or disagreements to the said Embassies within a period of sixty days."

We asked Mr. Halla to check in the State Department files the antecedents and postcedents of this document. He

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has just called me back to say that he has done this and that the State Department regards the document as one of the early preliminary exchanges of views that has been superseded by the Terms of Reference agreed upon on September 7, 1950. There has been no reference to this early document or to this time limit since September 7, 1950 to the State Department by any representative of Afghanistan.

If this is the sixty-day period to which your Government referred in its inquiry, and it appears that it is, it will be in order, we believe, to notify them that it is the opinion of the State Department and ourselves that this sixty-day limitation for giving the views of the parties to the recommendations of the Commission is not binding or in effect.

Mr. Halla informed me that the State Department has received no comments of any nature on the report of the Commission by any representative of Afghanistan. He added that they anticipated that there would be a considerable delay in any Afghan consideration of the report owing to the preoccupation of the officials of Afghanistan with certain domestic matters. He expressed informally the view that it might be better not to send in the Iranian reply before these domestic matters were settled in Afghanistan. He also mentioned that this might be better from the Iranian point of view because of the attention that is being given at this time in Teheran to a satisfactory solution of the oil question.

Sincerely yours,

(Signed) JOHN G. LAYLIN

JGL/elw