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FROM FOREIGN OFFICE TO WASHINGTON

Guidance dated March 9, 1961

[Ain Mere].

Following is text:

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and, with reference to the Ministry's Note No. 136/2E of November 9, 1960, have the honour to inform the Ministry that, in the years immediately following the cessation of hostilities, the Government of the United Kingdom took all possible steps to comply with the principles set out in the Moscow Declaration and in the two Resolutions of the United Nations General Assembly referred to in the above-mentioned Note. For the purpose referred to above the United Kingdom Government participated in the work of the United Nations War Crimes Commission, and in arrangements made under the auspices of the Commission.

The Resolution of the United Nations General Assembly which was adopted on October 31, 1947, recommended Members of the United Nations to request the surrender of alleged war criminals "as soon as possible". The Soviet Government, however, are now requesting the surrender of Mr. Mere for the offences which he is alleged to have committed more than fifteen years after the date of the cessation of hostilities. In these circumstances Her Majesty's Government cannot agree that, in the absence of provision for the procedure provided by an extradition agreement, they are under any obligation to hand over Mr. Mere for trial for these offences of which he is now accused. Her Majesty's Government are therefore unable to comply with the request in the Ministry's Note of November 9, 1960.

With regard to the reference to the territory of the Estonian S.S.R. in paragraph 2 of the Ministry's Note of November 9, Her Majesty's Embassy are instructed to point out that Her Majesty's Government in the United Kingdom has at no time recognized de jure the incorporation of the territory of Estonia with the Union of Soviet Socialist Republics.

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