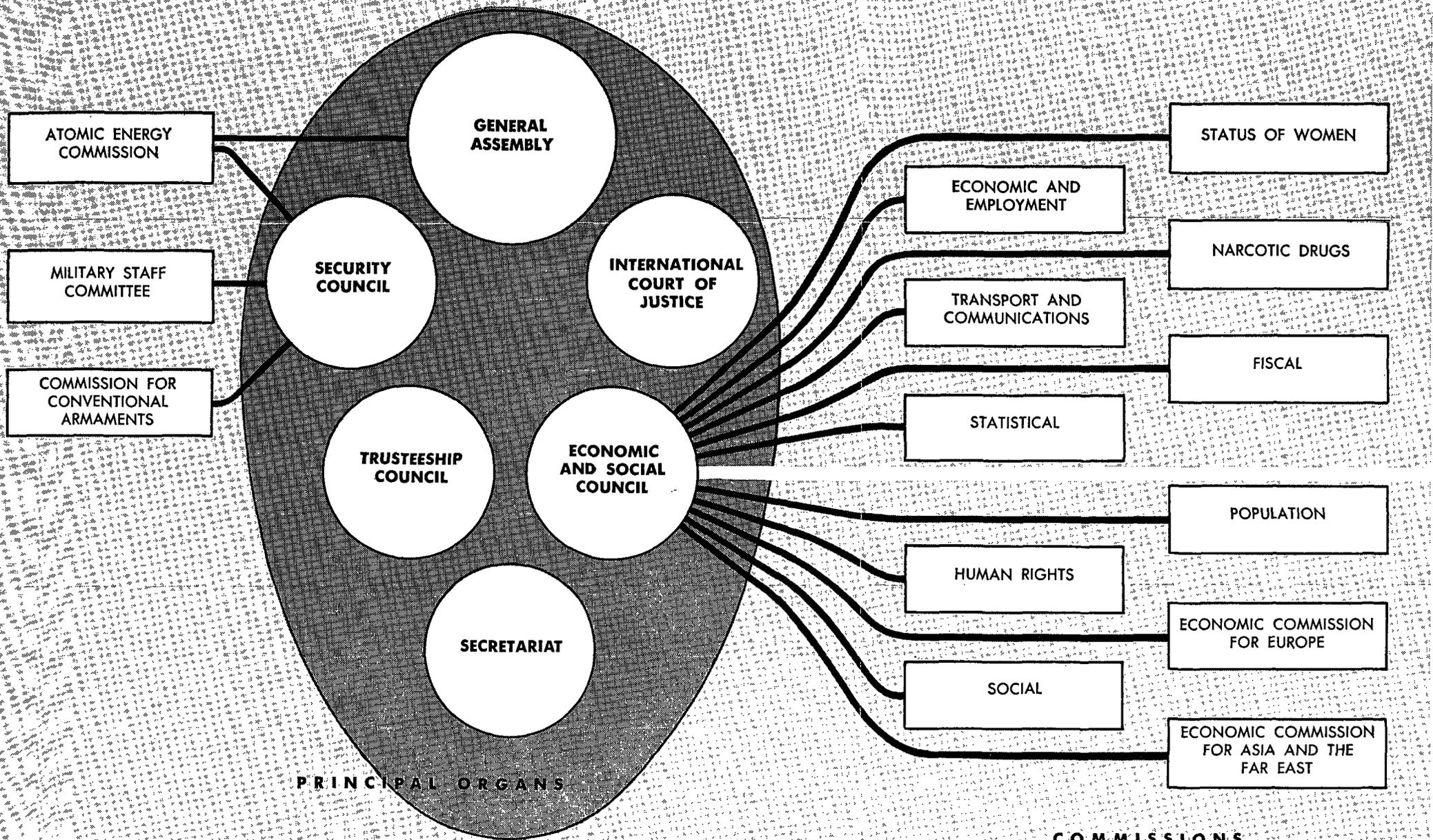


ORGANS OF THE UNITED NATIONS



- Specialized Agencies**
- International Labour Organization
 - Food and Agriculture Organization
 - United Nations Educational Scientific and Cultural Organization
 - International Civil Aviation Organization
 - *International Bank for Reconstruction and Development
 - *International Monetary Fund
 - *World Health Organization
 - *International Refugee Organization
 - *International Trade Organization
 - *Universal Postal Union
 - *International Telecommunications Union
- *Not yet brought into relationship with the United Nations

Part One:

1. Origin and Evolution

A. THE DECLARATION BY UNITED NATIONS

The term, "The United Nations," was suggested by Franklin Delano Roosevelt. It was first used in the Declaration by United Nations, and at the San Francisco Conference it was unanimously adopted as the name of the new international organization as a tribute to the late President of the United States.

On January 1, 1942, the representatives of 26 nations that were fighting against the Axis aggressors signed in Washington, D. C., a Declaration by United Nations. This is the first landmark in the evolution of the United Nations. The text of the Declaration¹ is as follows:

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter.

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world,

DECLARE:

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to co-operate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

DONE at Washington, January First, 1942.

The original signatories of the Declaration² were:

United States	Guatemala
United Kingdom	Haiti
U.S.S.R.	Honduras
China	India
Australia	Luxembourg
Belgium	Netherlands
Canada	New Zealand
Costa Rica	Nicaragua
Cuba	Norway
Czechoslovakia	Panama
Dominican Republic	Poland
El Salvador	South Africa
Greece	Yugoslavia

In addition to the original 26 signatories, 21 nations adhered to the Declaration. Below is a list of the adherents, together with the dates of communications of adherence:³

Mexico	June 5, 1942
Philippine Commonwealth	June 10, 1942
Ethiopia	July 28, 1942
Iraq	January 16, 1943
Brazil	February 8, 1943
Bolivia	April 27, 1943
Iran	September 10, 1943

U. S. Department of State Bulletin, January 3, 1942, p. 3.

France and Denmark were generally regarded as having been identified with the United Nations from the beginning, as the French authorities abroad had carried on hostilities and the Danish Minister in Washington had signified the adherence of all free Danes to the Allied cause. As the Declaration was signed by governments, they could not at that time, however, formally adhere to it.

France, when the French National Committee was constituted as a government, adhered formally to the Declaration. Denmark, which was not liberated until after the opening of the San Francisco Conference was admitted as one of the United Nations by the Conference.

These dates are from the U. S. Department of State Bulletin, August 12, 1945. The dates given are those borne by the communications addressed to the Department of State.

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Colombia	December 22, 1943	Venezuela	February 16, 1945
Liberia	February 26, 1944	Uruguay	February 23, 1945
France	December 26, 1944	Turkey	February 24, 1945
Ecuador	February 7, 1945	Egypt	February 27, 1945
Peru	February 11, 1945	Saudi Arabia	March 1, 1945
Chile	February 12, 1945	Syria	March 1, 1945
Paraguay	February 12, 1945	Lebanon	March 1, 1945

B. THE ATLANTIC CHARTER

The signatories of the United Nations Declaration subscribed to the "common program of purposes and principles" embodied in the Atlantic Charter—the Joint Declaration made by the President of the United States and the Prime Minister of the United Kingdom on August 14, 1941. The Charter¹ reads:

The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

First, their countries seek no aggrandizement, territorial or other;

Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

Fourth, they will endeavour, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the

world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labour standards, economic adjustment and social security;

Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

(note cont.)

U. S. Department of State Bulletin, August 16, 1941, p. 125; Joint Declaration by the President of the United States of America and Mr. Winston Churchill representing His Majesty's Government in the United Kingdom, known as the Atlantic Charter, August 14, 1941. London H.M. Stationery Office 1941. [United States No. 3 (1941), Cmd. 6321].

Under the Inter-Allied Declaration of St. James's Palace of September 24, 1941, "this declaration of principles" was adhered to by the representatives of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, the U.S.S.R., Yugoslavia and General de Gaulle, leader of Free Frenchmen. [Inter-Allied Meeting held in London at St. James's Palace on September 24, 1941. Report of proceedings. London, H.M. Stationery Office, 1941. Miscellaneous No. 3 (1941), Cmd. 6315].

A previous Inter-Allied Declaration of St. James's Palace of June 12, 1941, adopted by representatives of the United Kingdom, Canada, Australia, New Zealand, South Africa, Belgium, the Provisional Czechoslovak Government, Greece, Luxembourg, the Netherlands, Norway, Poland and Yugoslavia and the representatives of General de Gaulle, leader of Free Frenchmen, had recognized that "the only true basis of enduring peace is the willing co-operation of free peoples in a world in which, relieved of the menace of aggression, all may enjoy economic and social security" and had stated that it was "their intention to work together, and with other free peoples both in war and peace to this end." [Inter-Allied Meeting held in London at St. James's Palace on June 12, 1941. Report of proceedings. London, H.M. Stationery Office, 1941. Miscellaneous No. 1 (1941), Cmd. 6285].

C. THE MOSCOW DECLARATION ON GENERAL SECURITY

On October 30, 1943, the Foreign Ministers of the United States, the United Kingdom and the U.S.S.R. and the Chinese Ambassador to Moscow issued the Declaration of Four Nations on General Security, which contemplated the establishment at the earliest practicable date of a general international organization, based upon the principle of the sovereign equality of all peace-loving States and open to membership by such States, large and small, for the maintenance of international peace and security.

The text of the Declaration¹ is as follows:

The Governments of the United States of America, the United Kingdom, the Soviet Union and China:

United in their determination, in accordance with the Declaration by the United Nations of January 1, 1942, and subsequent declarations, to continue hostilities against those Axis powers with which they respectively are at war until such powers have laid down their arms on the basis of unconditional surrender;

Conscious of their responsibility to secure the liberation of themselves and the peoples allied with them from the menace of aggression;

Recognizing the necessity of ensuring a rapid and orderly transition from war to peace and of establishing and maintaining international peace and security with the least diversion of the world's human and economic resources for armaments;

JOINTLY DECLARE:

1. That their united action, pledged for the prosecution of the war against their respective

enemies, will be continued for the organization and maintenance of peace and security.

2. That those of them at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.

3. That they will take all measures deemed by them to be necessary to provide against any violation of the terms imposed upon the enemy.

4. That they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security.

5. That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security, they will consult with one another and as occasion requires with other members of the United Nations with a view to joint action on behalf of the community of nations.

6. That after the termination of hostilities they will not employ their military forces within the territories of other States except for the purposes envisaged in this declaration and after joint consultation.

7. That they will confer and co-operate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the postwar period.

V. Molotov
Anthony Eden
Cordell Hull
Foo Ping-sheung

Moscow, October 30, 1943

D. UNITED NATIONS CONFERENCES ON ECONOMIC AND SOCIAL PROBLEMS²

Before the establishment of a general international organization, as contemplated in the Moscow Declaration, a number of United Nations conferences were held to discuss certain special problems. As a result of these conferences a number of specialized agencies were subsequently established.

The first of these conferences was the United Nations Conference on Food and Agriculture, held in Hot Springs, Virginia, from May 18 to June 3, 1943, which set up an Interim Commission on Food and Agriculture to draw up a Constitution of the Food and Agriculture Organization of the United Nations.

On October 16, 1945, FAO came into being when its Constitution was signed.

The Conference of Allied Ministers of Education, which first met in London in October 1942, drafted plans for a United Nations Educational and Cultural Organization. These plans served as a basis of discussion at the United Nations Conference for the Establishment of an Educational, Scientific and Cultural Organization, held in London from

¹ U. S. Department of State Bulletin, November 6, 1943, pp. 307-311.

² For fuller information on these conferences see Part Two of this Yearbook.

November 1 to 16, 1945, which drew up the Constitution of the United Nations Educational Scientific and Cultural Organization (UNESCO).

The Agreement creating the United Nations Relief and Rehabilitation Administration was signed in Washington on November 9, 1943, by representatives of 44 nations, and on the following day the first meeting of the UNRRA Council took place in Atlantic City, New Jersey. It may be noted that UNRRA was the first of the United Nations agencies formally to come into being.

The United Nations Monetary and Financial Conference was held at Bretton Woods, New Hampshire, from July 1 to 22, 1944. The Conference drafted the Articles of Agreement of

the International Monetary Fund and the Articles of Agreement of the International Bank for Reconstruction and Development. The Articles of Agreement both of the Fund and of the Bank came into force on December 27, 1945, and the inaugural meeting of the Boards of Governors of these two institutions took place in Savannah, Georgia, U.S.A., from March 8 to 18, 1946.

The International Civil Aviation Conference was held in Chicago from November 1 to December 7, 1944. It drafted a Convention on International Civil Aviation and an Interim Agreement on International Civil Aviation. The Provisional (Interim) International Civil Aviation Organization came into being on August 15, 1945.

E. THE DUMBARTON OAKS CONVERSATIONS

The first concrete step toward the creation of a general international organization was taken in the late summer of 1944, when the Dumbarton Oaks Conversations took place. The first phase of the conversations was between the representatives of the U.S.S.R., the United Kingdom and the United States from August 21 to September 28, and the second phase between the representatives of China, the United Kingdom and the United States from September 29 to October 7.¹ As a result of these conversations the four powers reached a number of agreements which were embodied in the Dumbarton Oaks Proposals. The text of the Proposals reads:

PROPOSALS FOR THE ESTABLISHMENT OF A GENERAL INTERNATIONAL ORGANIZATION²

There should be established an international organization under the title of The United Nations, the Charter of which should contain provisions necessary to give effect to the proposals which follow.

CHAPTER I PURPOSES

The purposes of the Organization should be:

1. To maintain international peace and security; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means adjustment or settlement of international disputes which may lead to a breach of the peace;

2. To develop friendly relations among nations and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in the solution of international economic, social and other humanitarian problems; and

4. To afford a centre for harmonizing the actions of nations in the achievement of these common ends.

CHAPTER II PRINCIPLES

In pursuit of the purposes mentioned in Chapter I the Organization and its members should act in accordance with the following principles:

1. The Organization is based on the principle of the sovereign equality of all peace-loving states.

2. All members of the Organization undertake, in order to ensure to all of them the rights and benefits resulting from membership in the Organization, to fulfill the obligations assumed by them in accordance with the Charter.

3. All members of the Organization shall settle their disputes by peaceful means in such a manner that international peace and security are not endangered.

4. All members of the Organization shall refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the Organization.

For list of representatives at the Conversations see p. 43.

Dumbarton Oaks Documents on International Organization. U. S. Department of State, Conference Series 56, Publication 2192. Dumbarton Oaks Conversations on World Organization, August 21 to October 7, 1944. Statement of tentative proposals. London, H.M. Stationery Office, 1944. [Miscellaneous No. 4 (1944), Cmd. 6560].

5. All members of the Organization shall give every assistance to the Organization in any action undertaken by it in accordance with the provisions of the Charter.

6. All members of the Organization shall refrain from giving assistance to any state against which preventive or enforcement action is being undertaken by the Organization.

The Organization should ensure that states not members of the Organization act in accordance with these principles so far as may be necessary for the maintenance of international peace and security.

CHAPTER III MEMBERSHIP

1. Membership of the Organization should be open to all peace-loving states.

CHAPTER IV PRINCIPAL ORGANS

1. The Organization should have as its principal organs:

- a. A General Assembly;
- b. A Security Council;
- c. An International Court of Justice; and
- d. A Secretariat.

2. The Organization should have such subsidiary agencies as may be found necessary.

CHAPTER V THE GENERAL ASSEMBLY

Section A—Composition

All members of the Organization should be members of the General Assembly and should have a number of representatives to be specified in the Charter.

Section B—Functions and Powers

1. The General Assembly should have the right to consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments; to discuss any questions relating to the maintenance of international peace and security brought before it by any member or members of the Organization or by the Security Council; and to make recommendations with regard to any such principles or questions. Any such questions on which action is necessary should be referred to the Security Council by the General Assembly either before or after discussion. The General Assembly should not on its own initiative make recommendations on any matter relating to the maintenance of international peace and security which is being dealt with by the Security Council.

2. The General Assembly should be empowered to admit new members to the Organization upon recommendation of the Security Council.

3. The General Assembly should, upon recommendation of the Security Council, be empowered to suspend from the exercise of any rights or privileges of membership any member of the Organization against which preventive or enforcement action shall have been taken by the Security Council. The exercise of the rights and privileges thus suspended may be restored by decision of the Security Council. The General Assembly should be empowered, upon recommendation of the Security Council, to expel from the Organization any member of the Organization which persistently violates the principles contained in the Charter.

4. The General Assembly should elect the non-permanent members of the Security Council and the members of the Economic and Social Council provided for in Chapter IX. It should be empowered to elect upon recommendation of the Security Council, the Secretary-General of the Organization. It should perform such functions in relation to the election of the Judges of the International Court of Justice as may be conferred upon it by the Statute of the Court.

6. The General Assembly should apportion the expenses among the members of the Organization and should be empowered to approve the budgets of the Organization.

6. The General Assembly should initiate studies and make recommendations for the purpose of promoting international co-operation in political, economic and social fields and of adjusting situations likely to impair the general welfare.

7. The General Assembly should make recommendations for the co-ordination of the policies of international economic, social and other specialized agencies brought into relation with the Organization in accordance with agreements between such agencies and the Organization.

8. The General Assembly should receive and consider annual and special reports from the Security Council and reports from other bodies of the Organization.

Section C—Voting

1. Each member of the Organization should have one vote in the General Assembly.

2. Important decisions of the General Assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the Security Council; election of members of the Economic and Social Council; admission of members, suspension of the exercise of the rights and privileges of members, and expulsion of members; and budgetary questions should be made by a two-thirds majority of those present and voting. On other questions, including the determination of additional categories of question to be decided by a two-thirds majority, the decisions of the General Assembly should be made by a simple majority vote.

Section D—Procedure

1. The General Assembly should meet in regular annual session and in such special sessions as occasion may require.

2. The General Assembly should adopt its own rules of procedure and elect its President for each session.

3. The General Assembly should be empowered to set up such bodies and agencies as it may deem necessary for the performance of its functions.

CHAPTER VI

THE SECURITY COUNCIL

Section A—Composition

The Security Council should consist of one representative of each of eleven members of the Organization. Representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the Republic of China and, in due course, France, should have permanent seats. The General Assembly should elect six states to fill the non-permanent seats. These six states should be elected for a term of two years, three retiring each year. They should not be immediately eligible for re-election. In the first election of the non-permanent members three should be chosen by the General Assembly for one-year terms and three for two-year terms.

Section B—Principal Functions and Powers

1. In order to ensure prompt and effective action by the Organization, members of the Organization should by the Charter confer on the Security Council primary responsibility for the maintenance of international peace and security and should agree that in carrying out these duties under this responsibility it should act on their behalf.

2. In discharging these duties the Security Council should act in accordance with the purposes and principles of the Organization.

3. The specific powers conferred on the Security Council in order to carry out these duties are laid down in Chapter VIII.

4. All members of the Organization should obligate themselves to accept the decisions of the Security Council and to carry them out in accordance with the provisions of the Charter.

5. In order to promote the establishment and maintenance of international peace and security with the least diversion of the world's human and economic resources for armaments, the Security Council, with the assistance of the Military Staff Committee referred to in Chapter VIII, Section B, paragraph 9, should have the responsibility for formulating plans for the establishment of a system of regulation of armaments for submission to the members of the Organization.

Section C—Voting

(Note: The question of voting procedure in the Security Council is still under consideration.)

Section D—Procedure

1. The Security Council should be so organized as to be able to function continuously and each state member of the Security Council should be permanently represented at the headquarters of the Organization. It may hold meetings at such other places as in its judgment may best facilitate its work. There should be periodic meetings at which each state member of the Security Council could if it so desired be represented by a member of the government or some other special representative.

2. The Security Council should be empowered to set up such bodies or agencies as it may deem necessary for the performance of its functions including regional sub-committees of the Military Staff Committee.

3. The Security Council should adopt its own rules of procedure, including the method of selecting its President.

4. Any member of the Organization should participate in the discussion of any question brought before the Security Council whenever the Security Council considers that the interests of that member of the Organization are specially affected.

5. Any member of the Organization not having a seat on the Security Council and any state not a member of the Organization, if it is a party to a dispute under consideration by the Security Council, should be invited to participate in the discussion relating to the dispute.

CHAPTER VII

AN INTERNATIONAL COURT OF JUSTICE

1. There should be an International Court of Justice which should constitute the principal judicial organ of the Organization.

2. The Court should be constituted and should function in accordance with a Statute which should be annexed to and be a part of the Charter of the Organization.

3. The Statute of the Court of International Justice should be either (a) the Statute of the Permanent Court of International Justice, continued in force with such modifications as may be desirable, or (b) a new Statute in the preparation of which the Statute of the Permanent Court of International Justice should be used as a basis.

4. All members of the Organization should ipso facto be parties to the Statute of the International Court of Justice.

5. Conditions under which States not Members of the Organization may become parties to the Statute of the International Court of Justice should be determined in each case by the General Assembly upon recommendation of the Security Council.

CHAPTER VIII

ARRANGEMENTS FOR THE MAINTENANCE OF
INTERNATIONAL PEACE AND SECURITY, IN-
CLUDING PREVENTION AND SUPPRESSION
OF AGGRESSION

Section A—Pacific Settlement of Disputes

1. The Security Council should be empowered to investigate any dispute, or any situation which may lead to international friction or give rise to a dispute, in order to determine whether its continuance is likely to endanger the maintenance of international peace and security.

2. Any state, whether member of the Organization or not, may bring any such dispute or situation to the attention of the General Assembly or of the Security Council.

3. The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security should obligate themselves, first of all, to seek a solution by negotiation, mediation, conciliation, arbitration or judicial settlement, or other peaceful means of their own choice. The Security Council should call upon the parties to settle their dispute by such means.

4. If, nevertheless, parties to a dispute of the nature referred to in paragraph 3 above fail to settle it by the means indicated in that paragraph they should obligate themselves to refer it to the Security Council. The Security Council should in each case decide whether or not the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, and, accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action under paragraph 5.

5. The Security Council should be empowered, at any stage of a dispute of the nature referred to in paragraph 3 above, to recommend appropriate procedures or methods of adjustment.

6. Justiciable disputes should normally be referred to the International Court of Justice. The Security Council should be empowered to refer to the Court, for advice, legal questions connected with other disputes.

7. The provisions of paragraph 1 to 6 of Section A should not apply to situations or disputes arising out of matters which by international law are solely within the domestic jurisdiction of the state concerned.

Section B—Determination of Threats to the
Peace or Acts of Aggression and Action
With Respect Thereto

1. Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated in paragraph 3 of Section A, or in accordance with its recommendations made under paragraph 5 of Section A, constitutes a threat to the maintenance of international peace and security, it should take any measures necessary for the maintenance of international peace and security in

accordance with the purposes and principles of the Organization.

2. in general the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures to be taken to maintain or restore peace and security.

3. The Security Council should be empowered to determine what diplomatic, economic, or other measures not involving the use of armed force should be employed to give effect to its decisions, and to call upon members of the Organization to apply such measures. Such measures may include complete or partial interruption of rail, sea, air, postal, telegraphic, radio and other means of communication and the severance of diplomatic and economic relations.

4. Should the Security Council consider such measures to be inadequate, it should be empowered to take such action by air, naval or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea or land forces of members of the Organization.

5. In order that all members of the Organization should contribute to the maintenance of international peace and security, they should undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements concluded among themselves, armed forces, facilities and assistance necessary for the purpose of maintaining international peace and security. Such agreement or agreements should govern the numbers and types of forces and the nature of the facilities and assistance to be provided. The special agreement or agreements should be negotiated as soon as possible and should in each case be subject to approval by the Security Council and to ratification by the signatory states in accordance with their constitutional processes.

G. In order to enable urgent military measures to be taken by the Organization there should be held immediately available by the members of the Organization national air force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action should be determined by the Security Council with the assistance of the Military Staff Committee within the limits laid down in the special agreement or agreements referred to in paragraph 5 above.

7. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security should be taken by all the Members of the Organization in co-operation or by some of them as the Security Council may determine. This undertaking should be carried out by the members of the Organization by their own action and through action of the appropriate specialized organizations and agencies of which they are members.

8. Plans for the application of armed force should be made by the Security Council with the assistance of the Military Staff Committee referred to in paragraph 9 below.

9. There should be established a Military Staff Committee the functions of which should be to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, to the employment and command of forces placed at its disposal, to the regulation of armaments, and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. The Committee should be composed of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any member of the Organization not permanently represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires that such a state should participate in its work. Questions of command of forces should be worked out subsequently.

10. The members of the Organization should join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

11. Any state, whether a member of the Organization or not, which finds itself confronted with special economic problems arising from the carrying out of measures which have been decided upon by the Security Council should have the right to consult the Security Council in regard to a solution of those problems.

Section C—Regional Arrangements

1. Nothing in the Charter should preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the purposes and principles of the Organization. The Security Council should encourage settlement of local disputes through such regional arrangements or by such regional agencies, either on the initiative of the states concerned or by reference from the Security Council.

2. The Security Council should, where appropriate, utilize such arrangements or agencies for enforcement action under its authority, but no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the Security Council.

3. The Security Council should at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Section A—Purpose and Relationships

1. With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, the Organization should facilitate solutions of international economic, social and other humanitarian problems and promote respect for human rights and fundamental freedoms. Responsibility for the discharge of this function should be vested in the General Assembly and, under the authority of the General Assembly, in an Economic and Social Council.

2. The various specialized economic, social and other organizations and agencies would have responsibilities in their respective fields as defined in their statutes. Each such organization or agency should be brought into relationship with the Organization on terms to be determined by agreement between the Economic and Social Council and the appropriate authorities of the specialized organization or agency, subject to approval by the General Assembly.

Section B—Composition and Voting

The Economic and Social Council should consist of representatives of eighteen members of the Organization. The states to be represented for this purpose should be elected by the General Assembly for terms of three years. Each such state should have one representative, who should have one vote. Decisions of the Economic and Social Council should be taken by simple majority vote of those present and voting.

Section C—Functions and Powers of the Economic and Social Council

1. The Economic and Social Council should be empowered:

a. to carry out, within the scope of its functions, recommendations of the General Assembly;

b. to make recommendations, on its own initiative, with respect to international economic, social and other humanitarian matters;

c. to receive and consider reports from the economic, social and other organizations or agencies brought into relationship with the Organization, and to co-ordinate their activities through consultations with, and recommendations to, such organizations or agencies;

d. to examine the administrative budgets of such specialized organizations or agencies with a view to making recommendations to the organizations or agencies concerned;

e. to enable the Secretary-General to provide information to the Security Council;

f. to assist the Security Council upon its request; and

g. to perform such other functions within the general scope of its competence as may be assigned to it by the General Assembly.

Origin and Evolution

Section D—Organization and Procedure

1. The Economic and Social Council should set up an economic commission, a social commission, and such other commissions as may be required. These commissions should consist of experts. There should be a permanent staff which should constitute a part of the Secretariat of the Organization.

2. The Economic and Social Council should make suitable arrangements for representatives of the specialized organizations or agencies to participate without vote in its deliberations and in those of the commissions established by it.

3. The Economic and Social Council should adopt its own rules of procedure and the method of selecting its President.

CHAPTER X THE SECRETARIAT

1. There should be a Secretariat comprising a Secretary-General and such staff as may be required. The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly, on recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.

2. The Secretary-General should act in that capacity in all meetings of the General Assembly, of the Security Council, and of the Economic and Social Council and should make an annual report to the General Assembly on the work of the Organization.

3. The Secretary-General should have the right to bring to the attention of the Security Council any matter which in his opinion may threaten international peace and security.

CHAPTER XI

AMENDMENTS

Amendments should come into force for all members of the Organization when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by the members of the Organization having permanent membership on the Security Council and by a majority of the other members of the Organization.

CHAPTER XII

TRANSITIONAL ARRANGEMENTS

1. Pending the coming into force of the special agreement or agreements referred to in Chapter VIII, Section B, paragraph 5, and in accordance with the provisions of paragraph 5 of the Four-Nation Declaration, signed at Moscow, Oct. 30, 1943, the States parties to that Declaration should consult with one another and as occasion arises with other Members of the Organization with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

2. No provision of the Charter should preclude action taken or authorized in relation to enemy States as a result of the present war by the Governments having responsibility for such action.

(Note: In addition to the question of voting procedure in the Security Council referred to in Chapter VI, several other questions are still under consideration.)

F. THE YALTA AGREEMENT

In February 1945, Prime Minister Churchill, President Roosevelt and Marshal Stalin met at Yalta in the Crimea. A report was issued after the conference which contained the following passage:

We are resolved upon the earliest possible establishment with our Allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples.

The foundations were laid at Dumbarton Oaks. On the important question of voting procedure, however, agreement was not there reached. The present Conference has been able to resolve this difficulty.

We have agreed that a Conference of United Nations should be called to meet at San Francisco in the United States on the

25th April 1945, to prepare the charter of such an organization, along the lines proposed in the informal conversations of Dumbarton Oaks.

The Government of China and the Provisional Government of France will be immediately consulted and invited to sponsor invitations to the Conference jointly with the Governments of the United States, Great Britain and the Union of Soviet Socialist Republics. As soon as the consultation with China and France has been completed, the text of the proposals on voting procedure will be made public.¹

China and France were consulted. The Chinese Government agreed to join in sponsoring the invitations. The French Government

¹U. S. Department of State Bulletin, February 18, 1945, pp. 213-216; Report of the Crimea Conference, February 11, 1946. London H. M. Stationery Office, 1945, [Miscellaneous No. 5 (1945), Cmd. 6598.]

agreed to participate in the conference but decided not to act as a sponsoring nation.

The countries qualifying for invitations were those nations which had declared war on Germany or Japan by March 1, 1945, and had signed the United Nations Declaration.

The invitations were issued on March 5 and contained the proposals for voting referred to in the Report of the Crimea Conference. The terms of invitation¹ read as follows:

The Government of the United States of America, on behalf of itself and of the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the Republic of China, invites the Government of [name of Government invited] to send representatives to a Conference of the United Nations, to be held on April 25, 1945, at San Francisco in the United States of America, to prepare a charter for a general international organization for the maintenance of international peace and security.

The above-named Governments suggest that the Conference consider, as affording a basis for such a charter, the proposals for the establishment of a general international organization which were made public last Octo-

ber as a result of the Dumbarton Oaks Conference, and which have now been supplemented by the following provisions for Section C of Chapter VI:

C. Voting

1. Each member of the Security Council should have one vote.

2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members, including the concurring votes of the permanent members; provided that, in decisions under Chapter VIII, Section A, and under the second sentence of paragraph 1 of Chapter VIII, Section C, a party to a dispute should abstain from voting.

Further information as to arrangements will be transmitted subsequently. In the event that the Government of [name of Government invited] desires in advance to present views or comments concerning the proposals, the Government of the United States of America will be pleased to transmit such views and comments to the other participating Governments.

G. PRELIMINARY DISCUSSIONS ON THE DUMBARTON OAKS PROPOSALS

1. INTER-AMERICAN CONFERENCE ON PROBLEMS OF WAR AND PEACE

The Dumbarton Oaks Proposals were being studied and discussed by the nations of the world, severally as well as individually. From February 21 to March 8, 1945, for instance, twenty Members of the Union of American Republics met in Mexico City to consider the problems of war and peace. In a resolution² the Inter-American Conference suggested that the following points be taken into consideration in the formulation of a definitive charter of the proposed international organization:

(a) The aspiration of universality as an ideal toward which the Organization should tend in the future;

(b) The desirability of amplifying and making more specific the enumeration of the principles and purposes of the Organization;

(c) The desirability of amplifying and making more specific the powers of the General Assembly in order that its action, as the fully representative organ of the international community may be rendered effective, harmonizing the powers of the Security Council with such amplification;

(d) The desirability of extending the jurisdiction and competence of the International Tribunal or Court of Justice;

(e) The desirability of creating an international agency specially charged with promoting intellectual and moral co-operation among nations;

(f) The desirability of solving controversies and questions of an inter-American character, preferably in accordance with inter-American methods and procedures, in harmony with those of the General International Organization;

(g) The desirability of giving an adequate representation to Latin America on the Security Council.

2. BRITISH COMMONWEALTH CONFERENCE

From April 4 to 13, 1945, talks were held in London between representatives of the British Commonwealth as a preliminary to the San Francisco Conference. They were attended by the representatives of Australia, Canada, India, New Zealand, the Union of South Africa and

¹U. S. Department of State Bulletin, March 11, 1945, pp. 394-5.

²Final Act of the Inter-American Conference on Problems of War and Peace, Mexico City, February-March, 1945, Pan American Union, Washington, D.C., 1945, Resolution XXX, pp. 73-75.

the United Kingdom. The statement issued at the close of the meetings contained the following passage:

We have examined, generally and in detail, the tentative proposals resulting from the

Dumbarton Oaks Conversations, and we have had a valuable exchange of views. We are agreed that the proposals provide the basis for a charter of such an organization, fully recognizing that in certain respects they call for clarification, improvement and expansion.

H. THE COMMITTEE OF JURISTS¹

The Dumbarton Oaks Proposals provided that there should be an International Court of Justice as the principal judicial organ of the organization, but the Proposals left open the question of whether the Court's Statute should be the Statute of the Permanent Court of International Justice with such modifications as were necessary, or a new Statute based on that of the Permanent Court.

The United States Government, acting on behalf of itself and the other governments sponsoring the San Francisco Conference, invited a Committee of Jurists to meet in Washington for the purpose of preparing a Draft Statute of the Court and submitting it to the San Francisco Conference. Jurists from 44 countries met from April 9 to 20, 1945.

The Committee felt that it was for the San Francisco Conference to decide whether the Court should be established as a new Court or as a continuance of the Permanent Court of International Justice established in 1920. The question affected particularly the operation of treaties containing references to the jurisdiction of the Permanent Court.

The Committee took the Statute of the Permanent Court as a basis and proceeded to revise it article by article. The revision consisted, on the one hand, of the effecting of certain adaptations of form, and on the other

hand, of the introduction of certain new features considered desirable.

On the nomination of judges the Committee did not reach any agreement. It submitted two alternative texts—one retaining the system of nomination by national groups and the other introducing a system of nomination by governments. The Committee suggested that one-third of the judges should be elected every three years, instead of a complete election every nine years.

On the question of obligatory jurisdiction the Committee could not reach a unanimous agreement. Some jurists wanted to see the principle of obligatory jurisdiction affirmed in the new Statute, while others preferred to retain the optional clause. In the end two alternative texts embodying both views were presented.

A provision for amendment, based on a United States proposal, was adopted to fill what was felt to be a lacuna in the old Statute. The Committee called to the attention of the San Francisco Conference the importance of formulating rules for the execution of the Court's decisions, and the necessity of adjusting the situation as regards States which were parties to the Statute of the Permanent Court of International Justice but not Members of the United Nations.

I. THE QUESTION OF TRUSTEESHIP

The question of trusteeship was placed tentatively on the agenda of the Dumbarton Oaks Conversations, but no provisions concerning it were included in the Dumbarton Oaks Proposals. It was understood that the question would be a subject of subsequent study and would be placed on the agenda of the United Nations Conference. At Yalta the matter was discussed and agreement was reached on the following policy:

(1) That the five Governments with permanent seats in the Security Council should consult each other prior to the United Nations

Conference on providing machinery in the World Charter for dealing with territorial trusteeships which would apply only to (a) existing mandates of the League of Nations; (b) territory to be detached from the enemy as a result of this war; and (c) any other territory that may voluntarily be placed under trusteeship.

For a full account of the discussions of the Committee of Jurists see Documents of the United Nations Conference on International Organization, published by United Nations Information Organization, London and New York in co-operation with the U. S. Library of Congress, 1945. Vol. XIV.

(2) That no discussions of specific territories were to take place during the preliminary consultations on trusteeships or at the United Nations Conference itself. Only machinery and principles of trusteeship should be formu-

lated at the Conference for inclusion in the Charter, and it was to be a matter for subsequent agreement as to which territories within the categories specified above would actually be placed under trusteeship.¹

J. THE CHINESE PROPOSALS

In the second phase of the Dumbarton Oaks Conversations the Chinese Government had put forward certain proposals which were agreed to at that time between China, the United Kingdom and the United States. The Government of the U.S.S.R. agreed to join in sponsoring the proposals for presentation to the San Francisco Conference. The proposals, which were submitted to the San Francisco Conference on May 1, 1945, were:

(1) The Charter should provide specifically that adjustment or settlement of international disputes should be achieved with due regard for principles of justice and international law.

(2) The Assembly should be responsible for initiating studies and making recommendations with respect to the development and revision of the rules and principles of international law.

(3) The Economic and Social Council should specifically provide for the promotion of educational and other forms of cultural co-operation.²

K. THE UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION³

1. COMPOSITION OF THE CONFERENCE

The Government of the United States, on behalf of itself and the other sponsoring Governments, on March 5, 1945, invited the Governments that had signed or adhered to the United Nations Declaration and had declared war against Germany or Japan to send representatives to the San Francisco Conference, officially known as the United Nations Conference on International Organization, beginning on April 25, 1945. The complete list of the sponsoring Governments and the invited Governments is as follows:

Australia	India
Belgium	Iran
Bolivia	Iraq
Brazil	Lebanon
Canada	Liberia
Chile	Luxembourg
China	Mexico
Colombia	Netherlands
Costa Rica	New Zealand
Cuba	Nicaragua
Czechoslovakia	Norway
Dominican Republic	Panama
Ecuador	Paraguay
Egypt	Peru
El Salvador	Philippine Commonwealth
Ethiopia	Saudi Arabia
France	Syria
Greece	Turkey
Guatemala	Union of South Africa
Haiti	Union of Soviet Socialist Republics
Honduras	

United Kingdom
United States of America

Uruguay
Venezuela
Yugoslavia

The invitation to Poland, which was an original signatory of the United Nations Declaration, was withheld at that time pending the formation of a Polish Provisional Government of National Unity. On April 27, 1945, the San Francisco Conference adopted the following resolution on Poland:

The Governments of the United Nations express to the people of Poland their sympathy and their admiration. They hope that the constitution of a Polish Government recognized as such by the sponsoring nations will make it possible for Polish delegates to come and take part as soon as possible in the work of the Conference.

¹ Charter of the United Nations. Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, the Secretary of State. June 26, 1945 (Washington, D. C., Govt. Print. Office, 1945), p. 128.

² Documents of the United Nations Conference on International Organization, San Francisco, 1945, published by United Nations Information Organization, London and New York in co-operation with the U. S. Library of Congress, 1946. Vol. III p. 25 (Doc. I. G/1(a) May 1, 1945).

³ For the complete official record of the United Nations Conference on International Organization, see Documents of the United Nations Conference on International Organization, published by United Nations Information Organization, London and New York in co-operation with the U.S. Library of Congress, 1945. Vols. I to XV.

On April 30 the Conference approved the admission of Argentina, the Byelorussian S.S.R. and the Ukrainian S.S.R. On June 5 Denmark, which had just been liberated, was invited to attend the Conference. A total of 50 nations attended.¹

2. ORGANIZATION AND PROCEDURE OF THE CONFERENCE

The chairmen of the delegations of the sponsoring Governments presided in rotation at the plenary sessions of the Conference. They were: Edward R. Stettinius, Jr., of the United States; Anthony Eden, of the United Kingdom; Dr. T. V. Soong, of China; and V. M. Molotov, of the U.S.S.R. Lord Halifax later deputized for Mr. Eden, Dr. V. K. Wellington Koo for Dr. Soong, and Andrei A. Gromyko for Mr. Molotov. The chairmen of these delegations held private meetings from time to time with Mr. Stettinius presiding, and on May 3 the chairman of the French delegation was invited to attend those private meetings.

The Conference established four general committees: A Steering Committee, consisting of the chairmen of all delegations, with Mr. Stettinius presiding, was to consider major questions of policy and procedure. An Executive Committee, consisting of fourteen members—the chairmen of the delegations of the four sponsoring Governments and the chairmen of the delegations of Australia, Brazil, Canada, Chile, Czechoslovakia, France,

Iran, Mexico, the Netherlands and Yugoslavia—with Mr. Stettinius presiding, was to make recommendations to the Steering Committee. A Co-ordination Committee, consisting of one representative of each of the fourteen members of the Executive Committee was to assist the Executive Committee and to supervise the final drafting of the Charter. A Credentials Committee, consisting of the chairmen of the delegations of Ecuador, Luxembourg, Nicaragua, Saudi Arabia, Syria and Yugoslavia, was to verify the credentials of the representatives.

The Conference was divided into four commissions and twelve technical committees. All delegations were represented on the commissions and the committees.

Each commission had a President and a Rapporteur, who were nominated by the Steering Committee and approved by the Conference. An Assistant Secretary-General of the Conference served as the secretary of each commission. Each commission was to develop general principles to guide its technical committees.

Each technical committee had a Chairman and a Rapporteur, who were nominated by the Steering Committee and approved by the Conference. Each committee was to formulate recommendations on various parts of the agenda assigned to it.

The terms of reference of the commissions and the committees were as follows:

Commission & Committee ²	Title	Terms of Reference (Dumbarton Oaks Proposals)
Commission I Committee I/1	General Provisions Preamble, Purposes & Principles	Chs. I & II
Committee I/2	Membership, Amendment & Secretariat	Chs. III, IV, X & XI
Commission II Committee II/1	General Assembly Structure and Procedures	Ch. V, Sees. A, C, D, paras. of Sec. B.
Committee II/2	Political & Security Functions	Ch. V, especially Sec. B
Committee II/3	Economic and Social Co-operation	Ch. IX & paras. of Ch. V
Committee II/4	Trusteeship System	Principles and Mechanism of Trusteeship System
Commission III Committee III/1	Security Council Structure and Procedures	Ch. VI, Sees. A, C, D, paras of Sec. B
Committee III/2	Peaceful Settlement	Ch. VIII, Sec. A
Committee III/3	Enforcement Arrangements	Ch. VIII, Sec. B, & Ch. XII
Committee III/4	Regional Arrangements	Ch. VIII, Sec. C
Commission IV Committee IV/1	Judicial Organization International Court of Justice	Ch. VII
Committee IV/2	Legal Problems	Judicial Status of United Nations, Registration of Treaties, et cetera.

¹ For list of representatives at the Conference, see pp. 43 ff.

² For Officers of Commissions and Committees see p. 47.

The Secretary-General of the Conference was Alger Hiss; the Deputy Secretary-General was John Ross. The Secretariat consisted of 1,058 persons, not including the United States Army and Navy personnel and volunteer workers. The expenses of the Conference, estimated at somewhat less than \$2,000,000,¹ were met by the United States as the host government.

Each delegation to the Conference had one vote. Any question of procedure was decided by a majority of the votes of the delegations present and voting; all other questions were decided by two thirds of the votes of the delegations present and voting.

The official languages of the Conference were Chinese, English, French, Russian and Spanish. The working languages were English and French. Addresses in English or French were interpreted into the other language, and addresses in any other language into both English and French.

3. AGENDA OF THE CONFERENCE

At a meeting of the chairmen of the delegations on April 27 it was agreed that the agenda of the Conference should be "the Dumbarton Oaks Proposals, as supplemented at the Crimea Conference, and by the Chinese Proposals agreed to by the sponsoring Governments, and the comments thereon submitted by the participating countries."

The four sponsoring Governments themselves submitted jointly to the Conference on May 5 a series of amendments to the Dumbarton Oaks Proposals. The text of the amendments was as follows:²

CHAPTER I. PURPOSES

1. To maintain international peace and security; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and with due regard for principles of justice and international law, adjustment or settlement of international disputes which may lead to a breach of the peace.

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in the solution of international economic, social, cultural and other humanitarian problems and

promotion and encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race, language, religion or sex; and

CHAPTER II. PRINCIPLES

1. The Organization is based on the principle of the sovereign equality of all (peace-loving States) its Members.

3. All Members of the Organization shall settle their international disputes by peaceful means in such a manner that international peace and security are not endangered.

New paragraph to be added following paragraph 6, to take the place of paragraph 7 of Chapter VIII, Section A, which would be deleted:

Nothing contained in this Charter shall authorize the Organization to intervene in matters which are essentially within the domestic jurisdiction of the State concerned or shall require the Members to submit such matters to settlement under this Charter; but this principle shall not prejudice the application of Chapter VIII, Section B.

CHAPTER V. THE GENERAL ASSEMBLY

Section B. Functions and Powers

6. The General Assembly should initiate studies and make recommendations for the purpose of promoting international co-operation in political, economic, (and) social and cultural fields to assist in the realization of human rights and basic freedoms for all, with out distinction as to race, language, religion and sex and also for the encouragement of the development of international law (and of adjusting situations likely to impair the general welfare.).

New paragraph to follow paragraph 7:

The General Assembly should examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

CHAPTER VI. THE SECURITY COUNCIL

Section A. Composition

The Security Council should consist of one representative of each of eleven Members of the Organization. Representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the Republic of China, and, in due course, France, should have permanent seats. The General

¹ Unless otherwise indicated, \$ sign represents U.S. currency.

² Amendments are indicated by using italic type for added passages and italic type in parentheses for deleted passages.

Assembly should elect six States to fill the non-permanent seats, due regard being specially paid in the first instance to the contribution of Members of the Organization towards the maintenance of international peace and security and towards the other purposes of the Organization, and also to equitable geographical distribution. These six States should be elected for a term of two years, three retiring each year. They should not be immediately eligible for re-election. In the first election of the non-permanent members three should be chosen by the General Assembly for one-year terms and three for two-year terms.

Section D. Procedure

2. The Security Council should be empowered to set up such bodies or agencies as it may deem necessary for the performance of its functions, (including regional sub-committees of the Military Staff Committee.)

5. Any Member of the Organization not having a seat on the Security Council and any State not a Member of the Organization, if it is a party to a dispute under consideration by the Security Council, should be invited to participate in the discussion relating to the dispute. In the case of a non-member, the Security Council should lay down such conditions as it may deem just for the participation of such a non-member.

CHAPTER VII. AN INTERNATIONAL COURT OF JUSTICE

The provisions of Chapter VII of the Dumbarton Oaks Proposal should be adjusted to bring it into conformity with the recommendations of Commission IV in light of the report of the Jurists Committee.

CHAPTER VIII. ARRANGEMENTS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY INCLUDING PREVENTION AND SUPPRESSION OF AGGRESSION

Section A. Pacific Settlement of Disputes

The following new paragraph should be inserted before Paragraph 1 of Section A of Chapter VIII:

Without prejudice to the provisions of paragraphs 1 to 5 below, the Security Council should be empowered, if all the parties so request, to make recommendations to the parties to any dispute with a view to its settlement in accordance with the principles laid down in Chapter II, Paragraph 3.

2. Any State, whether Member of the Organization or not, may bring any dispute or situation to the attention of the General Assembly or of the Security Council. In the case of a non-member, it should be required to accept, for the purposes of such dispute, the obligations of pacific settlement provided in the Charter.

4. If, nevertheless, parties to a dispute of the nature referred to in paragraph 3 above fail to settle it by the means indicated in that paragraph, they should obligate themselves to refer it to the Security Council. (The) If the Security Council (should in each case decide whether or not) deems that the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, (and, accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action under paragraph 5) it shall decide whether to take action under paragraph 5 or whether itself to recommend such terms of settlement as it may consider appropriate.

(7. The provisions of paragraph 1 to 6 of Section A should not apply to situations or disputes arising out of matters which by international law are solely within the domestic jurisdiction of the State concerned.)

(Note: This paragraph would be replaced by the new paragraph proposed for addition following paragraph 6, Chapter II, Principles.)

Section B. Determination of Threats to the Peace or Acts of Aggression and Action with Respect Thereto

1. Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated in paragraph 3 of Section A, or in accordance with its recommendations made under paragraphs 4 or 5 of Section A, constitutes a threat to the maintenance of international peace and security, it should take any measures necessary for the maintenance of international peace and security in accordance with the purposes and principles of the Organization.

2. In general the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures set forth in paragraphs 3 and 4 of this Section to be taken to maintain or restore peace and security.

Insert the following paragraph between paragraphs 2 and 3:

Before making the recommendations or deciding upon the measures for the maintenance or restoration of peace and security in accordance with the provisions of paragraph 2, the Security Council may call upon the parties concerned to comply with such provisional measures as it may deem necessary or desirable in order to prevent an aggravation of the situation. Such provisional measures should be without prejudice to the rights, claims or position of the parties concerned. Failure to comply with such provisional measures should be duly taken account of by the Security Council.

9. There should be established a Military Staff Committee the functions of which should be to advise and assist the Security Council

on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, to the employment and command of forces placed at its disposal, to the regulation of armaments, and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. The Committee should be composed of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the Organization not permanently represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires that such a State should participate in its work. Questions of command of forces should be worked out subsequently. The Military Staff Committee, with the authorization of the Security Council, may establish regional sub-committees of the Military Staff Committee.

CHAPTER IX. ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Section A. Purpose and Relationships

1. With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the Organization should facilitate solutions of international economic, social, cultural and other humanitarian problems and promote respect for human rights and for fundamental freedoms for all without distinction as to race, language, religion or sex. Responsibility for the discharge of this function should be vested in the General Assembly, and under the authority of the General Assembly, in an Economic and Social Council.

Section C. Functions and Powers of the Economic and Social Council

1. The Economic and Social Council should be empowered:

Insert after paragraph a, new paragraph as follows:

To make recommendations for promoting respect for human rights and fundamental freedoms;

b. To make recommendations, on its own initiative with respect to international economic, social, cultural and other humanitarian matters;

c. To receive and consider reports from the economic, social, cultural and other organizations or agencies brought into relationship with the Organization, and to co-ordinate their activities through consultations with, and recommendations to, such organizations or agencies;

Section D. Organization and Procedure

1. The Economic and Social Council should set up (an economic commission, a social com-

mission and such other commissions as may be required) commissions in the fields of economic activity, social activity, cultural activity, promotion of human rights and any other field within the competence of the Council. These commissions should consist of experts. There should be a permanent staff which should constitute a part of the Secretariat of the Organization.

CHAPTER X. THE SECRETARIAT

1. There should be a Secretariat comprising a Secretary-General, four deputies and such staff as may be required. (The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly, on recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.) The Secretary-General and his deputies should be elected by the General Assembly on recommendation of the Security Council for a period of three years, and the Secretary-General should be eligible for re-election. The Secretary-General should be the chief administrative officer of the Organization.

4. In the performance of their duties, the Secretary-General and the staff should be responsible only to the Organization. Their responsibilities should be exclusively international in character, and they should not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Members should undertake fully to respect the international character of the responsibilities of the Secretariat and not to seek to influence any of their nationals in the discharge of such responsibility.

CHAPTER XI. AMENDMENTS

1. The present Charter comes into force after its ratification in accordance with their respective constitutional processes by the Members of the Organization having permanent seats on the Security Council and by a majority of the other Members of the Organization.

Note: The existing text of Chapter XI would become paragraph 2.

2. A general conference of the Members of the United Nations may be held at a date and place to be fixed by a three-fourths vote of the General Assembly with the concurrence of the Security Council voting in accordance with the provisions of Chapter VI, Section C, paragraph 2, for the purpose of reviewing the Charter. Each Member shall have one vote in the Conference. Any alterations of the Charter recommended by a two-thirds vote of the Conference shall take effect when ratified in accordance with their respective constitutional processes by the Members of the Organization having permanent membership on the Security Council and by a majority of the other Members of the Organization.

Two additional amendments to the Dumbarton Oaks Proposals agreed to by the Governments of the United States, United Kingdom, the Soviet Union and China were submitted on May 11, 1945. These amendments are as follows:

CHAPTER V. THE GENERAL ASSEMBLY
Section B. Functions and Powers

New paragraph to follow paragraph 6:

Subject to the provisions of paragraph 1 of this Section, the General Assembly should be empowered to recommend measures for the peaceful adjustment of any situations, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the Purposes and Principles set forth in this Charter.

CHAPTER VIII. ARRANGEMENTS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY INCLUDING PREVENTION AND SUPPRESSION OF AGGRESSION

Section C. Regional Arrangements

2. The Security Council should, where appropriate, utilize such arrangements or agencies for enforcement action under its authority. But no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the Security Council with the exception of measures against enemy States in this war, provided for, pursuant to Chapter XII, paragraph 2, or, in regional arrangements directed against renewal of aggressive policy on the part of such States, until such time as the Organization may, by consent of the Governments concerned, be charged with the responsibility for preventing further aggression by a State now at war with the United Nations.

It would be impossible in this brief survey to include all the amendments and proposals submitted to the Conference and to go into the details of the work of the Commissions and Committees. In the following pages an attempt is made to point out some of the vital issues discussed at the Conference and some of the main contributions of the Conference to the drafting of the Charter of the United Nations.

4. PREAMBLE, PURPOSES AND PRINCIPLES

The Dumbarton Oaks Proposals did not contain any Preamble. Chapter I of the Proposals was devoted to the Purposes, and Chapter II to the Principles, of the United Nations. The Charter in its final form contains a Preamble, and the Purposes and the Principles which constituted Chapters I and

II of the Dumbarton Oaks Proposals became Articles 1 and 2 of Chapter I of the Charter.

The task of drafting the Preamble and Purposes and Principles was assigned to Committee I/1. Several delegations had proposed that the Charter should contain a Preamble, and several drafts were submitted. It was found difficult to draw a clear-cut distinction between the Preamble, the Purposes and the Principles of the United Nations. After some discussion the Committee finally made the distinction in these paragraphs:

(1) The "Preamble" introduces the Charter and sets forth the declared common intentions which brought us together in this Conference and moved us to unite our will and efforts, and made us harmonize, regulate, and organize our international action to achieve our common ends.

(2) The "Purposes" constitute the *raison d'être* of the Organization. They are the aggregation of the common ends on which our minds met; hence, the cause and object of the Charter to which Member States collectively and severally subscribe.

(3) The chapter on "Principles" sets, in the same order of ideas, the methods and regulating norms according to which the Organization and its Members shall do their duty and endeavor to achieve the common ends. Their understandings should serve as actual standards of international conduct.

More briefly, the Preamble sets forth the intentions of the participating Governments, the Purposes constitute the *raison d'être* of the United Nations, and the Principles serve as the standards of international conduct.

Committee I/1 accepted as a working basis the Preamble submitted by the Union of South Africa. The final form of the Preamble read as follows:

WE THE PEOPLES OF THE UNITED NATIONS
DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in

peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

On the proposal of the United States delegation, supported by the delegations of the U.S.S.R., the Ukrainian S.S.R., China, France and Latin American countries, the phrase "The High Contracting Parties" in the original draft proposed by South Africa was changed to "We the Peoples of the United Nations." However, it was recognized that the Charter, by its nature, must be an agreement between the Governments of the United Nations. Accordingly, at the end of the Preamble the clause was inserted that "... our respective Governments through their representatives assembled in the city of San Francisco . . . have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations."

It was suggested in the Dumbarton Oaks Proposals that the name of the organization should be "The United Nations." Committee I/1 unanimously adopted the name as a tribute to President Franklin Delano Roosevelt, who was the first to suggest it. Commission I and the Conference accepted the name without dissent.

The Preamble has the same validity as the Purposes and Principles. The report of the Rapporteur of the Committee I/1 contains the following remarks:

The provisions of the Charter, being in this case indivisible as in any other legal instrument, are equally valid and operative. The rights, duties, privileges and obligations of the Organization and its Members match with one another and complement one another to make a whole. Each of them is construed to be

understood and applied in function of the others.

It is for this reason, as well as to avoid undue repetition, that the Committee did not find it necessary to mention again in each paragraph relevant dispositions included in other paragraphs of the same chapter or other chapters. It was, nevertheless, unavoidable at times to make some repetition.

May the explanation given above dispel any doubts as to the validity and value of any division of the Charter, whether we call it "Principles," "Purposes," or "Preamble."

It is thus clear that there are no grounds for supposing that the Preamble has less legal validity than the two succeeding chapters. [Purposes and Principles]. We found it appropriate to state the last remark, which could otherwise be taken for granted.

Chapter I of the Charter lists four Purposes, which constitute the *raison d'être* of the United Nations.

The Conference agreed that the first and foremost purpose of the United Nations was "to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace." The Dumbarton Oaks Proposals did not contain the words "in conformity with the principles of justice and international law." On the proposal of China, the four sponsoring Governments agreed that "the Charter should provide specifically that adjustment or settlement of international disputes should be achieved with due regard for principles of justice and international law." The phrase "with due regard" was changed by Committee I/1 to read "in conformity with."

The second purpose of the United Nations is "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace." The words "based on respect for the principle of equal rights and self-determination of peoples" were introduced at the San Francisco Conference; they were not in the Dumbarton Oaks Proposals.

The third purpose of the United Nations is "to achieve international co-operation in

solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." The words "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion" were introduced at the San Francisco Conference; they were not in the Dumbarton Oaks Proposals.

The fourth purpose of the United Nations is "to be a centre for harmonizing the actions of nations in the attainment of these common ends." The words "to afford" in the Dumbarton Oaks text, which at the time denoted an eye to the future, were changed to "to be."

Chapter I of the Charter lists seven Principles which should serve as the standards of international conduct. The Principles as finally agreed upon at the San Francisco Conference were substantially the same as those contained in the Dumbarton Oaks Proposals.

The first principle is "the sovereign equality" of all the Members of the United Nations. The Moscow Declaration of October 30, 1943, and the Dumbarton Oaks Proposals used the expression "the sovereign equality of all peace-loving States." At San Francisco "all peace-loving States" was changed to read "all its [United Nations] Members." The term, "sovereign equality" according to the report of the Rapporteur of Committee I/1, means:

- (1) that States are juridically equal;
- (2) that each State enjoys the right inherent in full sovereignty;
- (3) that the personality of the State is respected as well as its territorial integrity and political independence; and
- (4) that the State should, under international order, comply faithfully with its international duties and obligations.

The second principle is that "all Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter." The words "in good faith" were added by Commission I, upon the suggestion of the Colombian delegation.

The third principle is that "all Members should settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are

not endangered." This followed the wording of the Dumbarton Oaks Proposals, except the words "and justice", which were added upon the proposal of the Bolivian delegation.

The fourth principle is that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the Purposes of the United Nations." The words "against the territorial integrity or political independence of any State" were not in the Dumbarton Oaks Proposals; they were inserted upon the demand of several delegations which thought there should be a more specific guarantee in the Charter against any violation of territorial integrity and political independence. A New Zealand amendment that "all Members undertake collectively to resist any act of aggression against any Member" gained considerable support but failed to secure the necessary two-thirds majority.

The fifth principle is that "all Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action."

The sixth principle is that "the Organization shall ensure that the States which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security." The French delegation proposed the addition to the fifth principle of a clause to the effect that membership in the United Nations was incompatible with the status of permanent neutrality. It was understood, however, that the fifth and sixth-principles, properly interpreted, would cover the French amendment.

The seventh principle is that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII." In the Dumbarton Oaks Proposals a similar paragraph was to be found in Section A, Chapter

VIII, dealing with pacific settlement of disputes. The Proposals used the expression "matters which by international law are solely within the domestic jurisdiction of any State concerned." The sponsoring nations themselves proposed that the paragraph should be transferred to the chapter on the Principles of the United Nations, and they re-worded the expression to read "matters which are essentially within the domestic jurisdiction of any State." The representatives of Uruguay, Belgium and Peru, however, expressed regret that the Charter did not establish the rule of international law as the criterion of what matters were essentially within domestic jurisdiction.

5. MEMBERSHIP

Chapter III (on Membership) of the Dumbarton Oaks Proposals contained only one Article, which stated that "membership of the Organization should be open to all peace-loving States."

In the Charter, membership is dealt with in Chapter II, which contains four Articles. The task of drafting the provisions for membership was assigned to Committee I/2.

The Committee made a distinction between original Members and future Members. The original Members are those States which, having participated in the United Nations Conference on International Organization or having previously signed the United Nations Declaration, signed and ratified the Charter. New Members are those peace-loving States which accept the obligations contained in the Charter and, in the opinion of the organization, are able and willing to carry out such obligations. According to the report of the Rapporteur of Committee I/2, it was understood that:

This distinction did not imply any discrimination against future Members but that the normal course of events required it. Before new Members can be admitted the Organization must exist, which in turn implies the existence of original Members. On the other hand the definition adopted would serve to calm the fears of certain nations participating in our deliberations which, properly speaking, are not States and which for this reason might be denied the right of membership in the Organization.

In the deliberations of Committee I/2, the delegations of Uruguay and some other nations took the position that all States should be Members of the United Nations and that

their participation was obligatory. That is to say, it would not be left to the choice of any nation whether to become a Member of the United Nations or to withdraw from it. Other delegations believed that universality in this sense was an ideal toward which it was proper to aim but which it was not practicable to realize at once.

The Committee considered two other fundamental problems: (1) the relation existing between membership and the observance of the principles and obligations mentioned in the Charter; and (2) the extent to which it was desirable to establish the limits within which the organization would exercise its discretionary power with respect to the admission of new Members.

The unanimous opinion of the Committee was that adherence to the principles of the Charter and complete acceptance of the obligations arising therefrom were essential conditions to participation by States in the organization. Nevertheless, two principal tendencies were manifested in the discussions. On the one hand, there were some who declared themselves in favor of inserting in the Charter specific conditions which new Members should be required to fulfil, especially in matters concerning the character and policies of governments. On the other hand, others maintained that the Charter should not limit the organization in its decisions concerning requests for admission.

The term "all peace-loving States" was retained, while the qualifications for membership were elaborated. To declare oneself "peace-loving" does not suffice to acquire membership in the organization. It is also necessary to prove two things: that a nation is ready to accept the obligations of the Charter and that it is able and willing to carry out such obligations.

With respect to the admission of new Members, Committee I/2 recommended, and Commission I and the Conference approved the following interpretative commentary originally submitted on June 19, 1945, by the delegation of Mexico, and supported by the delegations of Australia, Belgium, the Byelorussian S.S.R., Chile, France, Guatemala, the Ukrainian S.S.R., the United States and Uruguay.

It is the understanding of the delegation of Mexico that paragraph 2 of Chapter III [Article 4, Chapter II, of the Charter] cannot be applied to the States whose regimes have

been established with the help of military forces belonging to the countries which have waged war against the United Nations, as long as those regimes are in power.

The Charter provides that the admission of any State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council. This was recommended by Committee II/1. It was stated in the report of the Rapporteur of that Committee that "the purpose of the Charter is primarily to provide security against a repetition of the present war and that, therefore, the Security Council should assume the initial responsibility of suggesting new participating States." However, it was understood that this provision did not "weaken the right of the General Assembly to accept or reject a recommendation for the admission of a new Member, or a recommendation to the effect that a given State should not be admitted to the United Nations."

The question of withdrawal aroused much discussion in the Committee. On the one hand, it was argued that it would be contrary to the conception of universality. On the other hand, it was asserted that a sovereign nation could not be compelled to remain in the organization against its will. In the end the Committee decided against the inclusion in the Charter of a withdrawal clause. Instead it adopted a declaration on withdrawal, the text of which, as revised by Commission I, was as follows:

The Committee adopts the view that the Charter should not make express provision either to permit or to prohibit withdrawal from the Organization. The Committee deems that the highest duty of the nations which will become Members is to continue their co-operation within the Organization for the preservation of international peace and security. If, however, a Member because of exceptional circumstances feels constrained to withdraw, and leave the burden of maintaining international peace and security on the other Members, it is not the purpose of the Organization to compel that Member to continue its co-operation in the Organization.

It is obvious, particularly, that withdrawal or some other form of dissolution of the Organization would become inevitable if, deceiving the hopes of humanity, the Organization was revealed to be unable to maintain peace or could do so only at the expense of law and justice.

Nor would a Member be bound to remain

in the Organization if its rights and obligations as such were changed by Charter amendment in which it has not concurred and which it finds itself unable to accept, or if an amendment duly accepted by the necessary majority in the Assembly or in a general conference fails to secure the ratification necessary to bring such amendment into effect.

It is for these considerations that the Committee has decided to abstain from recommending insertion in the Charter of a formal clause specifically forbidding or permitting withdrawal.

The questions of suspension and expulsion gave rise to a lengthy exchange of views in Committee I/2. These questions were dealt with in the Dumbarton Oaks Proposals in Chapter V (on the General Assembly), but they were transferred to Chapter II (on Membership) in the Charter. In the discussions, some representatives maintained that expulsion would be contrary to the concept of universality, while the majority thought that the primary purposes of the United Nations were peace and security, not universality. In the end the Committee recommended and Commission I and the Conference adopted the following provisions:

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

6. ORGANS

Chapter IV (on Principal Organs) of the Dumbarton Oaks Proposals suggested that the United Nations should have four principal organs—a General Assembly, a Security Council, an International Court of Justice and a Secretariat—and should have such subsidiary organs as might be found necessary. This matter was assigned to Committee I/2.

Upon the recommendation of Committee II/3, the Economic and Social Council was made a principal organ, and upon the recommendation of Committee II/4, the Trusteeship Council was likewise made a principal organ.

Committee I/2 added a new Article: "The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs."

These provisions constitute Chapter III (Organs) of the Charter.

7. THE GENERAL ASSEMBLY

Matters relating to the structure and procedure of the General Assembly were assigned to Committee II/1. The functions and powers of the General Assembly with respect to the maintenance of peace and security, the promotion of economic and social co-operation and the operation of international trusteeship were assigned respectively to Committee II/2, Committee II/3 and Committee II/4.

Chapter V of the Dumbarton Oaks Proposals as amended by the sponsoring Governments was used as the basis of discussion in Committee II/1 and Committee II/2. The work of Committee II/3 and Committee II/4 will be discussed later.

a. Structure and Procedure

On the structure and procedure of the General Assembly the suggestions of the Dumbarton Oaks Conversations were generally accepted with minor changes and additions.

The Dumbarton Oaks text stated that all Members of the organization should be members of the General Assembly and should have a number of representatives. Committee II/1 recommended that each Member "shall have not more than five representatives in the General Assembly."

Some delegations proposed that the public and the press of the world should have free access to the sessions of the General Assembly, but other delegations thought that the question should be dealt with as a procedural matter by the General Assembly itself. The Committee recommended and Commission I and the Conference approved the following statement to be included as a part of the official record of the Conference:

The Conference is of the opinion that regulations to be adopted at the first session of the General Assembly shall provide that, save in exceptional cases, the sessions of the General Assembly shall be open to the public and the press of the world.

b. Functions and Powers

On the functions and powers of the General Assembly, Committee II/2 made certain very significant recommendations which tended to strengthen the position of the General Assembly.

In the first place, the Committee recommended and the Conference approved what is now Article 10 of the Charter, which makes the General Assembly the overseeing and reviewing organ of the United Nations. The text of the Article, as finally adopted, was as follows:

The General Assembly may discuss any questions or any matters within the scope or the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12 [matters under the consideration of the Security Council], may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

In the second place, the relationship between the General Assembly and the Security Council was further clarified by Committee II/2. The Dumbarton Oaks Proposals had suggested that "the General Assembly shall receive and consider annual and special reports from the Security Council." While this was retained in the Charter, Committee II/2 added an interpretation that the General Assembly, when considering annual and special reports from the Security Council, might exercise the powers of discussion and recommendation. This interpretation was embodied in the report of the Rapporteur of Commission II and adopted by the Conference in these words:

Commission II calls particular attention to the word "consider" as used in the Charter in connection with reports of the Security Council and other organs. It is the intention of Commission II that this word shall be interpreted to encompass the right to discuss, and that the power of the Assembly to discuss and make recommendations as defined in Articles 10, 11, 12 and 14 is not limited in any way with respect to its consideration of reports from the Security Council.

In the third place, Committee II/2 recommended a new Article, which is now Article 14 of the Charter. The Article, as finally adopted, read as follows:

Subject to the provisions of Article 12 [matters under the consideration of the Security Council], the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin,

Origin and Evolution

which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

In the discussions of Committee II/2, the problem of the revision of treaties was brought up. Some representatives thought that any reference to the revision of treaties would tend to weaken the structure of international obligations and might be an invitation to the enemy States to seek a revision of peace treaties. In the end the Committee recommended the more general and inclusive phrase, "peaceful adjustment of any situation, regardless of origin."

The Committee also made some minor changes in the Dumbarton Oaks text with respect to the elective, administrative and budgetary functions and powers of the General Assembly.

8. THE SECURITY COUNCIL

Matters relating to the structure and procedure of the Security Council were assigned to Committee III/1. The functions and powers of the Security Council with respect to pacific settlement, enforcement arrangements and regional arrangements were assigned respectively to Committee HI/2, Committee HI/3 and Committee HI/4. Chapters VI and VIII of the Dumbarton Oaks Proposals as supplemented by the Yalta agreement and amended by the sponsoring Governments served as the basis of discussion of these four Committees of Commission III.

a. Structure and Procedure

The Dumbarton Oaks Proposals had suggested that the United States, the United Kingdom, the U.S.S.R., the Republic of China, and, "in due course," France should have permanent seats in the Security Council. On the suggestion of the Canadian representative, Committee III/1 deleted the words "in due course."

The Dumbarton Oaks Proposals had suggested that the General Assembly should elect six States to fill the non-permanent seats. Pursuant to an amendment of the sponsoring Governments, Committee III/1 decided to add the following clause: "due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and

security and to the other purposes of the Organization, and also to equitable geographical distribution."

Perhaps the most controversial issue in the San Francisco Conference was the voting procedure of the Security Council. The text of the procedure, known as the Yalta formula, which was finally adopted by the Conference as Article 27 of the Charter, read:

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

During the debate there was wide disagreement on the interpretation of the voting formula. Committee III/1 established a Sub-Committee for the purpose of clarifying the doubts that had arisen in the course of the discussion. On May 22 representatives other than those of the sponsoring Governments on that Sub-Committee addressed 23 questions on the exercise of the veto power to the representatives of the sponsoring Governments on the Sub-committee.

On June 7 the delegations of the sponsoring Governments issued the following statement on the voting procedure of the Security Council:

Specific questions covering the voting procedure in the Security Council have been submitted by a Sub-Committee of the Conference Committee on Structure and Procedures of the Security Council to the Delegations of the four Governments sponsoring the Conference — the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the Republic of China. In dealing with these questions, the four Delegations desire to make the following statement of their general attitude towards the whole question of unanimity of permanent members in the decisions of the Security Council.

1. The Yalta voting formula recognizes that the Security Council, in discharging its responsibilities for the maintenance of international peace and security, will have two broad groups of functions. Under Chapter VIII, the Council will have to make decisions which

involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members. The first group of decisions will be governed by a qualified vote—that is, the vote of seven members, including the concurring votes of the five permanent members, subject to the proviso that in decisions under Section A and a part of Section C of Chapter VIII parties to a dispute shall abstain from voting.

2. For example, under the Yalta formula a procedural vote will govern the decisions made under the entire Section D of Chapter VI. This means that the Council will, by a vote of any seven of its members, adopt or alter its rules of procedure; determine the method of selecting its President; organize itself in such a way as to be able to function continuously; select the times and places of its regular and special meetings; establish such bodies or agencies as it may deem necessary for the performance of its functions; invite a Member of the organization not represented on the Council to participate in its discussions when that Member's interests are specially affected; and invite any State when it is a party to a dispute being considered by the Council to participate in the discussion relating to that dispute.

3. Further, no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under paragraph 2, Section A, Chapter VIII. Nor can parties to such dispute be prevented by these means from being heard by the Council. Likewise, the requirement for unanimity of the permanent members cannot prevent any member of the Council from reminding the Members of the organization of their general obligations assumed under the Charter as regards peaceful settlement of international disputes.

4. Beyond this point, decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement under Section B, Chapter VIII. This chain of events begins when the Council decides to make an investigation, or determines that the time has come to call upon States to settle their differences, or make recommendations to the parties. It is to such decisions and actions that unanimity of the permanent members applies, with the important proviso, referred to above, for abstention from voting by parties to a dispute.

5. To illustrate: in ordering an investigation, the Council has to consider whether the investigation—which may involve calling for

reports, hearing witnesses, dispatching a commission of inquiry, or other means—might not further aggravate the situation. After investigation, the Council must determine whether the continuance of the situation or dispute would be likely to endanger international peace and security. If it so determines, the Council would be under obligation to take further steps. Similarly, the decision to make recommendations, even when all parties request it to do so, or to call upon parties to a dispute to fulfil their obligations under the Charter, might be the first step on a course of action from which the Security Council could withdraw only at the risk of failing to discharge its responsibilities.

6. In appraising the significance of the vote required to take such decisions or actions, it is useful to make comparison with the requirements of the League Covenant with reference to decisions of the League Council. Substantive decisions of the League of Nations Council could be taken only by the unanimous vote of all its Members, whether permanent or not, with the exception of parties to a dispute under Article XV of the League Covenant. Under Article XI, under which most of the disputes brought before the League were dealt with and decisions to make investigations taken, the unanimity rule was invariably interpreted to include even the votes of the parties to a dispute.

7. The Yalta voting formula substitutes for the rule of complete unanimity of the League Council a system of qualified majority voting in the Security Council. Under this system non-permanent members of the Security Council individually would have no "veto." As regards the permanent members, there is no question under the Yalta formula of investing them with a new right, namely, the right to veto, a right which the permanent members of the League Council always had. The formula proposed for the taking of action in the Security Council by a majority of seven would make the operation of the Council less subject to obstruction than was the case under the League of Nations rule of complete unanimity.

8. It should also be remembered that under the Yalta formula the five major Powers could not act by themselves, since even under the unanimity requirement any decisions of the Council would have to include the concurring votes of at least two of the non-permanent members. In other words, it would be possible for five non-permanent members as a group to exercise a "veto." It is not to be assumed, however, that the permanent members, any more than the non-permanent members, would use their "veto" power wilfully to obstruct the operation of the Council.

9. In view of the primary responsibilities of the permanent members, they could not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international

peace and security in consequence of a decision in which they had not concurred. Therefore, if a majority voting in the Security Council is to be made possible, the only practicable method is to provide, in respect of non-procedural decisions, for unanimity of the permanent members plus the concurring votes of at least two of the non-permanent members.

10. For all these reasons, the four sponsoring Governments agreed on the Yalta formula and have presented it to this Conference as essential if an international organization is to be created through which all peace-loving nations can effectively discharge their common responsibilities for the maintenance of international peace and security.

II

In the light of the considerations set forth in Part I of this statement, it is clear what the answers to the questions submitted by the Sub-Committee should be, with the exception of Question 19 [with respect to the preliminary question as to whether a matter is procedural]. The answer to that question is as follows:

1. In the opinion of the Delegations of the sponsoring Governments, the Draft Charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members.

In the course of the debate that ensued, several delegations indicated that they would be more favorably inclined to accept the proposed voting procedure if a revision of that procedure were made possible at another conference. They hoped that such a revision would not be subject to the rule of unanimity of the permanent members of the Security Council.

The Australian representative proposed that decisions of the Security Council with respect to pacific settlement of disputes should be made by a majority of any seven members, i. e., should be considered as decisions on procedural matters. The Australian representative stated that he was reluctantly prepared to accept the veto power in connection with enforcement measures, but that in pacific settlement of disputes no one power should

block any Council decisions. The Australian amendment, like several others, was not adopted.

Committee III/1, Commission III and eventually the Conference adopted the Yalta voting formula, which constitutes Article 27 of the Charter. The statement of the delegations of the sponsoring Governments on the voting procedure of the Security Council, however, was not formally accepted as the official interpretation of Article 27.

Committee III/1 agreed to the Dumbarton Oaks recommendations: (1) that Members of the United Nations should confer upon the Security Council primary responsibility for the maintenance of international peace and security and should agree that in carrying out these duties under this responsibility the Security Council should act on their behalf; (2) that in discharging these duties the Security Council should act in accordance with the Purposes and Principles of the United Nations; and (3) that Members should obligate themselves to accept the decisions of the Security Council and to carry them out in accordance with the provisions of the Charter.

b. Pacific Settlement

Section A of Chapter VIII of the Dumbarton Oaks Proposals was the subject matter considered by Committee III/2, which made some changes in the order and wording of the paragraphs. The substance of this section constitutes Chapter VI of the Charter.

The Committee thought the first Article in this Chapter should set forth the basic obligations of Members to settle disputes by pacific means. The Dumbarton Oaks text had stated that parties to a dispute should seek a solution "by negotiation, mediation, conciliation, arbitration or judicial settlement, or other peaceful means of their own choice." Committee III/2 added "inquiry" and, upon the recommendation of Committee III/4, "resort to regional agencies or arrangements" to the list of pacific means.

The Dumbarton Oaks text had suggested that any State, whether a Member of the organization or not, might bring any dispute, or any situation which might give rise to a dispute, to the attention of the General Assembly or of the Security Council. Committee III/2 revised this text so as to make it clear: (1) that any Member might bring any dispute or situation to the attention of the General Assembly or of the Security Council; and

(2) that a State, not a Member of the organization, might bring only a dispute (not a situation) to the Assembly or the Council if it accepted in advance the obligations of pacific settlement as provided in the Charter. It was understood that the enemy States in the Second World War "shall not have the right of recourse to the Security Council or the General Assembly until the Security Council gives them this right."

Committee III/2 agreed to the Dumbarton Oaks recommendations, as amended by the sponsoring Governments: (1) that the Security Council might investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation was likely to endanger international peace and security; (2) that the Security Council might, at any stage of such dispute, recommend appropriate procedures or methods of adjustment; and (3) that the Security Council, if it deemed that the continuance of a dispute was in fact likely to endanger the maintenance of international peace and security, might recommend appropriate procedures or actual terms of settlement. With respect to the last clause, it was understood that such a recommendation "possessed no obligatory effect for the parties."

c. Enforcement Arrangements

Section B of Chapter VIII of the Dumbarton Oaks Proposals was the basis of discussion in Committee HI/3. The substance of this section, as amended and adopted by the Conference, constitutes Chapter VII of the Charter.

According to the Dumbarton Oaks Proposals, the Security Council "should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures to be taken to maintain or restore peace and security." Several delegations proposed that the term "aggression" might be defined or explained, but the majority of the Committee thought that a preliminary definition of "aggression" went beyond the scope of the Charter and that the modern techniques of warfare rendered any definition of "aggression" impossible. The Committee decided to adhere to the Dumbarton Oaks text.

The Chinese delegation introduced a new paragraph to the effect that, before making

recommendations or deciding upon enforcement measures, the Security Council might call upon the parties to a dispute to comply with such provisional measures as it might deem necessary and desirable, such provisional measures being without prejudice to the rights, claims and position of the parties concerned, the failure to comply with such provisional measures to be duly taken account of by the Council. The substance of this paragraph became Article 40 of the Charter.

In using the word "recommendations" in the two preceding paragraphs, Committee III/3 intended to indicate the action of the Security Council under the provisions of pacific settlement, and at the same time the Committee realized that the Security Council would in reality pursue simultaneously two distinct actions, one having for its object the settlement of the dispute, and the other the taking of enforcement or provisional measures. The Committee was unanimous in the belief that, in the case of flagrant aggression imperilling the existence of a Member, enforcement action should be taken without delay.

Committee HI/3 agreed to the Dumbarton Oaks recommendations: (1) that the Security Council might call upon Members to employ measures not involving the use of armed forces, such as severance of economic and diplomatic relations, to give effect to its decisions; and (2) that, should these measures prove to be inadequate, the Council might take such action by land, sea or air forces as might be necessary to maintain international peace and security.

The Dumbarton Oaks Proposals contemplated that the forces put at the disposition of the Security Council should take the form of national contingents furnished by Members according to special agreements to be negotiated subsequently. On this matter the French delegation proposed a new draft, which became Article 43 of the Charter. The draft read:

In order that all Members of the Organization should contribute to the maintenance of international peace and security, they should undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage necessary for the purpose of maintaining international peace and security. Such agreement or agreements should govern the numbers and types of forces, their degree of readiness and general location, and the nature

of the facilities and assistance to be provided. The special agreement or agreements should be negotiated as soon as possible on the initiative of the Security Council and concluded between the Security Council and Member States or between the Security Council and groups of Member States. All such agreements should be subject to ratification by the signatory States in accordance with their constitutional processes.

The Dumbarton Oaks Proposals had suggested that a Military Staff Committee should be established to advise and assist the Security Council on all questions relating to the Council's military requirements, to the employment and command of forces, to the regulation of armaments and possible disarmament; that the Military Staff Committee should consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives; and that any Member not represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities required that such a State should participate in its work.

Upon the suggestion of the Canadian delegation, Committee III/3 added a new paragraph which became Article 44 of the Charter. It read:

When a decision to use force has been taken by the Security Council, it shall, before calling upon any Member not represented on it to provide armed forces in fulfilment of its obligations under the preceding paragraph, invite such Member, if it so requests, to send a representative to participate in the decisions of the Security Council concerning the employment of contingents of its armed forces.

Under this paragraph every Member not represented on the Security Council may participate, with the right of voting, in the deliberations of the Council when it is a question of the utilization of its armed forces. To repeat the expression of the Netherlands representative, the principle of "no military action without representation" was accepted by Committee III/3.

The Philippine delegation proposed and the Mexican delegation seconded an amendment that the Military Staff Committee should be composed of the Chiefs of Staff of all the Members of the United Nations. The amendment was not adopted, on the grounds that the Committee should be a small group so that it might be able to make decisions on military matters

and that if the forces of a country not represented on the Committee were used there was no question but that the military staff of that country would be consulted.

d. Regional Arrangements

Section C of Chapter VIII of the Dumbarton Oaks Proposals was referred to Committee HI/4. The substance of this section constitutes Chapter VIII of the Charter.

The Dumbarton Oaks Proposals had suggested that "nothing in the Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations." This was accepted by Committee HI/4.

The Egyptian delegation introduced a definition of regional arrangements which read:

There shall be considered as regional arrangements organizations of a permanent nature grouping in a given geographical area several countries which, by reason of their proximity, community of interests, or cultural, linguistic, historical or spiritual affinities, make themselves jointly responsible for the peaceful settlement of any disputes which may arise between them and for the maintenance of peace and security in their region, as well as for the safeguarding of their interests and the development of their economic and cultural relations.

This amendment was not adopted, on the ground that it might not cover all the situations which might come under the term "regional arrangements."

Committee HI/4 agreed to the Dumbarton Oaks recommendation that the Security Council should encourage pacific settlement of local disputes through regional arrangements or by regional agencies, either on the initiative of the States concerned or by reference from the Security Council. However, the Committee added a new paragraph to the effect that this provision did not impair the application of Articles 33 and 35 of the Charter.

Committee III/4 also agreed to the Dumbarton Oaks recommendation that the Security Council should, when appropriate, utilize regional arrangements or agencies for enforcement action under its authority, but no enforcement action should be taken under regional arrangements or by regional agencies

without the authorization of the Security Council. The Committee approved an exception, suggested by the sponsoring Governments. It recommended that measures under regional arrangements directed against the renewal of aggressive policy by any enemy State of the Second World War might be taken without the authorization of the Security Council until such time as the United Nations might be charged with the responsibility for preventing further aggression by any such State.

Committee HI/4 wrote a new paragraph which read as follows:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

This paragraph, however, was not inserted in Chapter VIII of the Charter, which deals with regional arrangements, but became Article 51 of Chapter VII, which deals with enforcement measures.

9. INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Chapter IX of the Dumbarton Oaks Proposals constituted the agenda of Committee II/3. The substance of that chapter, as amended by Committee II/3, became Chapter IX, International Economic and Social Co-operation, and Chapter X, The Economic and Social Council, of the Charter.

Committee II/3 made certain significant contributions to the drafting of Chapters IX and X of the Charter.

In the first place, the Committee unanimously recommended that the Economic and Social Council be listed as one of the principal organs of the United Nations. This recommendation expressed the opinion of the Committee that international economic and social co-operation was of the utmost importance to the success of the United Nations as a whole.

In the second place, the Committee greatly enlarged and broadened the objectives which the United Nations should promote in the economic and social fields. It recommended that the United Nations should promote:

(a) higher standards of living, full employment, and conditions of economic and social progress and development;

(b) solutions of international economic, social, health and related problems; and international cultural and educational co-operation;

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

There were some misgivings as to whether this statement of objectives might not be taken to imply that the United Nations might interfere in the domestic affairs of Member States. The Committee agreed to include in its record a statement to the effect that nothing in the provisions relating to international economic and social co-operation "can be construed as giving authority to the Organization to intervene in the domestic affairs of Member States."

Committee II/3 accepted the Dumbarton Oaks recommendation that the Economic and Social Council should consist of eighteen members elected by the General Assembly for three-year terms. The Committee specified that one third of the members of the Council should retire every year. It rejected amendments designed to give permanent representation to the great Powers or to make membership dependent upon economic and social importance.

As to the functions and powers of the Economic and Social Council, Committee II/3 recommended that, under the authority of the General Assembly, the Council might initiate studies and make recommendations with respect to international economic, social, cultural, education, health and related fields; make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms; prepare draft conventions and call international conferences on matters falling within its competence; enter into agreements with specialized agencies and co-ordinate the activities of and receive reports from such agencies. The Committee suggested that the General Assembly, however, and not the Economic and Social Council, should examine the administrative budgets of the specialized agencies.

The Dumbarton Oaks Proposals had suggested that the various specialized economic,

social and other agencies should be brought into relationship with the United Nations. Committee II/3 recommended that this provision should apply only to those inter-governmental agencies having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health and related fields. It was understood that the term "inter-governmental agencies" should be interpreted to mean agencies set up by agreement among governments. It was further understood that the United Nations should not deprive any specialized agency of its responsibilities in its own specialized field as defined in its basic instrument.

Committee II/3 further recommended that the Economic and Social Council might make suitable arrangements for consultation with non-governmental organizations which were concerned with matters within its competence.

In the course of the Committee's discussions, a number of statements and declarations relating to specific problems of international co-operation were made by national delegations. The French delegation issued a statement on cultural co-operation; the Brazilian and Chinese delegations a joint declaration regarding international health co-operation; the Greek delegation a declaration regarding the reconstruction of devastated areas; the Brazilian delegation a declaration on the status of women; the Panamanian delegation a declaration on the question of migration; the United States delegation a statement on the control of dangerous drugs. The Committee thought that its terms of reference did not permit it to pass resolutions on these matters; it decided to keep the texts of the statements and declarations on its record.

10. INTERNATIONAL TRUSTEESHIP

The Dumbarton Oaks Proposals did not contain any provisions relating to the establishment of an international trusteeship system. At Yalta President Roosevelt, Prime Minister Churchill and Premier Stalin agreed that the San Francisco Conference should discuss only the machinery and principles of trusteeship and that specific territories to be placed under trusteeship should be a matter of subsequent negotiation and agreement.¹

Consequently Committee II/4 was assigned the task of drafting provisions "on the principles and mechanism of a system of inter-

national trusteeship for such dependent territories as may by subsequent agreement be placed thereunder."

On the basis of a number of proposals, the delegations of Australia, China, France, the U.S.S.R., the United Kingdom and the United States submitted a Working Paper to the Committee on May 16. The text of the Working Paper was as follows:

A. General Policy

1. States Members of the United Nations which have responsibilities for the administration of territories inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world accept the general principle that it is a sacred trust of civilization to promote to the utmost the well-being of the inhabitants of these territories within the world community, and to this end:

(i) to insure the economic and social advancement of the peoples concerned;

(ii) to develop self-government in forms appropriate to the varying circumstances of each territory; and

(iii) to further international peace and security.

2. States Members also agree that their policy in respect to such territories, no less than in respect to their metropolitan areas, must be based on the general principle of good neighbourliness, due account being taken of the interests and well-being of other members of the world community, in social, economic and commercial matters.

B. Territorial Trusteeship System

1. The Organization should establish under its authority an international system of trusteeship for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements and set

2. The basic objectives of the trusteeship up suitable machinery for these purposes. system should be: (a) to further international peace and security; (b) to promote the political, economic, and social advancement of the trust territories and their inhabitants and their progressive development toward self-government in forms appropriate to the varying circumstances of each territory; and (c) to insure equal treatment in social, economic and commercial matters for all Members of the United Nations, without prejudice to the attainment of (a) and (b) above, and subject to the provisions of paragraph 5 below.

3. The trusteeship system should apply only to such territories in the following categories as may be placed thereunder by means of trusteeship arrangements: (a) territories now held

¹ See p. 11.

under mandates; (b) territories which may be detached from enemy States as a result of this war; and (c) territories voluntarily placed under the system by States responsible for their administration. It would be a matter for subsequent agreement as to which territories would be brought under a trusteeship system and upon what terms. The trusteeship system should not apply to territories which have become Members of the United Nations.

4. The trusteeship arrangement for each territory to be placed under trusteeship should be agreed upon by the States directly concerned and should be approved as provided for in paragraphs 8 and 10 below.

5. Except as may be agreed upon in individual trusteeship arrangements placing each territory under the trusteeship system, nothing in this chapter should be construed in and of itself to alter in any manner the rights of any States or any peoples in any territory.

6. The trusteeship arrangements in each case should include the terms under which the territory will be administered and designate the State which should exercise the administration of the territory or designate the United Nations Organization itself to exercise the administration of the territory.

7. In addition, there may also be designated, in the trusteeship arrangement, a strategic area or areas which may include part or all of the territory to which the arrangement applies.

8. All functions of the Organization relating to such strategic areas, including the approval of the trusteeship arrangements and their alteration or amendment, should be exercised by the Security Council. The basic objective as provided for in paragraph B.2 above should be applicable to the people of each strategic area. The Security Council may avail itself of the assistance of the Trusteeship Council provided for in paragraph 11 below to perform those functions of the Organization under the trusteeship system relating to political, economic and social matters in the strategic areas, subject to the provisions of the trusteeship arrangements.

9. It shall be the duty of the State administering any trust territory to insure that the territory shall play its part in the maintenance of international peace and security. To this end the State shall be empowered to make use of volunteer forces, facilities and assistance from the territory in carrying out the obligations undertaken by the State for the Security Council in this regard and for local defense and the maintenance of law and order within the territory.

10. The functions of the Organization with regard to trusteeship arrangements for all areas not designated as strategic should be exercised by the General Assembly.

11. In order to assist the General Assembly to carry out those functions under the trusteeship system not reserved to the Security Council, there should be established a Trusteeship Council which would operate under its author-

ity. The Trusteeship Council should consist of specially qualified representatives, designated (a) one each by the States administering trust territories, and (b) one each by an equal number of other States named for three-year periods by the General Assembly.

12. The General Assembly, and under its authority, the Trusteeship Council, in carrying out their functions, should be empowered to consider reports submitted by the administering State to accept petitions and examine them in consultation with the administering State, to make periodic visits to the respective territories at times agreed upon with the administering State, and to take other action in conformity with the trusteeship arrangements.

13. The administering authority in each trust territory within the competence of the General Assembly should make an annual report to the General Assembly upon the basis of a questionnaire formulated by the Trusteeship Council.

Committee II/4 adopted the Working Paper as a basis of discussion. As to the "general policy" in the Working Paper, the Committee found that it was desirable to change the description of Non-Self-Governing Territories as being "inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world" to that of territories "whose peoples have not yet attained a full measure of self-government." The Committee added a further obligation requiring the administering powers to transmit regularly to the Secretary-General statistical and other information relating to the economic, social and educational conditions of the territories they administered. The Committee changed the "general policy" into a "declaration," which eventually became Chapter XI of the Charter.

As to the "territorial trusteeship system" in the Working Paper, Committee II/4 made some significant changes. In the first place the Committee recommended that the promotion of the progressive development of the peoples of Trust Territories should be directed toward "independence" as well as "self-government." In the second place, the Committee suggested that the trusteeship system should encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The Committee agreed to the provisions in the Working Paper that the trusteeship system should apply to such territories in the following categories as might be placed thereunder

by means of Trusteeship Agreements (a) territories now held under mandate; (b) territories which might be detached from enemy States as a result of the Second World War; and (c) territories voluntarily placed under the system by States responsible for their administration.

The Working Paper had suggested a "conservatory clause" to the effect that, until individual Trusteeship Agreements were concluded, nothing in the provisions concerning the trusteeship system should be "construed in and of itself to alter in any manner the rights of any States or any peoples." The Committee added at the end of this paragraph the following words, "or the terms of existing international instruments." It inserted a new paragraph, however, to the effect that the conservatory clause should be not interpreted as giving grounds for delay or postponement of the negotiation and conclusion of Trusteeship Agreements.

With regard to the terms of Trusteeship Agreements, the Committee accepted with some minor changes the recommendations of the Working Paper. The terms of trusteeship should be agreed upon by the "States directly concerned" and should designate the Administering Authority. In any Trust Territory a strategic area or areas might be designated. All functions of the United Nations relating to Trust Territories, other than strategic areas, should be exercised by the General Assembly, and those relating to strategic areas by the Security Council.

In the course of the discussion the Egyptian delegation proposed: (1) that the General Assembly should have the power to terminate the status of trusteeship of a territory and declare the territory to be fit for full independence; and (2) that whenever an Administering Authority violated the terms of trusteeship, or ceased to be a Member of the United Nations or was suspended from membership in the United Nations, the organization should transfer the territory under trusteeship to another Administering Authority. These proposals, however, were not adopted.

Committee II/4 recommended the creation of a Trusteeship Council as a principal organ of the United Nations. The Council was to consist of: (a) those Members administering Trust Territories; (b) those permanent members of the Security Council which were not Administering Authorities; and (c) as many

other Members elected for three-year terms by the General Assembly as might be necessary to ensure that the total number of members of the Trusteeship Council was equally divided between those which administered Trust Territories and those which did not.

The Committee agreed to the definition of the functions and powers of the Trusteeship Council as suggested in the Working Paper, and wrote several paragraphs on the voting and procedure of the Council.

The provisions on the International Trusteeship System constitute Chapter XII of the Charter, and those on the Trusteeship Council, Chapter XIII.

II. THE INTERNATIONAL COURT OF JUSTICE

Chapter VII of the Dumbarton Oaks Proposals and the report of the Committee of Jurists constituted the agenda of Committee IV/1.

The basic question the Committee had to resolve was whether the Permanent Court of International Justice should be continued as an organ of the United Nations or whether a new Court should be established. After balancing the advantages to be gained and objections to be overcome in adopting either course, the Committee recommended the establishment of a new Court. This was thought to be in keeping with provisions to be proposed in the Charter, under which all Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice and a State not a Member of the United Nations may become a party to the Statute on conditions to be determined by the General Assembly upon the recommendation of the Security Council.

Committee IV/1 recommended that each Member of the United Nations should undertake to comply with the decision of the Court in any case to which it was a party. The Committee added another paragraph to the effect that, should any party fail to comply with the decision of the Court, the other party could have recourse to the Security Council, which might make such recommendations or decide upon such measures as to give effect to the decision.

The Committee of Jurists had presented two alternative texts relating to the nomination of judges, one retaining the system of nomination by national groups, the other instituting a system of nomination by governments. The

majority of Committee IV/1 thought that the system of nomination by national groups had worked very well in the past; the Committee therefore decided to recommend the retention of the system. As to the election of judges, two views were expressed: one favored election by both the General Assembly and the Security Council, the other election by the General Assembly alone. In the end the Committee decided to recommend that both the Assembly and the Council should take part in the election of judges and that an absolute majority should be required in each body.

There was a general desire on the part of the Committee to establish compulsory jurisdiction for the Court. However, some of the delegates feared that insistence upon compulsory jurisdiction might impair the possibility of obtaining general accord to the Statute as well as to the Charter itself. It was in that spirit that the Committee recommended the adoption of the optional clause.

The Committee proposed that the procedure in amending the Statute should be the same as that in amending the Charter, but it added that the Court itself should have the power to propose amendments to the Statute.

12. THE SECRETARIAT

The task of drafting provisions for the Secretariat was assigned to Committee I/2. Chapter X of the Dumbarton Oaks Proposals was the agenda of the Committee.

The Dumbarton Oaks text had suggested that there should be a Secretary-General, who was to be elected by the General Assembly upon the recommendation of the Security Council. The sponsoring Governments proposed an amendment providing that there should be four Deputy Secretaries-General elected in the same way. However, Committee I/2 did not adopt this amendment.

The Committee accepted the Dumbarton Oaks recommendations: (1) that the Secretary-General should be the chief administrative officer; (2) that the Secretary-General should act in that capacity in all meetings of the General Assembly and the Councils; (3) that he should make an annual report to the General Assembly on the work of the Organization. After considerable discussion the Committee also agreed to the Dumbarton Oaks suggestion that the Secretary-General might bring to the attention of the Security Council any matter which in his opinion might threaten international peace and security.

The Committee recommended that the Secretariat should be truly international in character; that the members of the staff should not receive instructions from any governments and the Members of the United Nations should not seek to influence the members of the staff. It further recommended that the paramount consideration in the employment of the staff should be the necessity of securing the highest standards of efficiency, competence and integrity, and that due regard should be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

13. LEGAL PROBLEMS

Committee IV/2 was assigned the task of drafting provisions regarding such legal matters as the judicial status of the United Nations, the privileges and immunities of the United Nations, registration of treaties, treaty obligations inconsistent with the Charter and interpretation of the Charter.

The Committee recommended that the United Nations should enjoy in the territory of each Member such legal capacity as might be necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the United Nations should enjoy such privileges and immunities as were necessary for the independent exercise of their functions.

It recommended that every treaty and every international agreement should be registered with the Secretariat and published by it and that no party to any such treaty or agreement which had not been registered might invoke that treaty or agreement before any organ of the United Nations.

It further recommended that in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreements, their obligations under the Charter should prevail.

As to the question, how and by what organ or organs the Charter should be interpreted, the Committee decided that it would be neither necessary nor desirable to make any explicit provision in the Charter. It made the following statement for the record:

If two Member States are at variance concerning the correct interpretation of the Charter, they are of course free to submit the dispute to the International Court of Justice

as in the case of any other treaty. Similarly, it would always be open to the General Assembly or to the Security Council, in appropriate circumstances, to ask the International Court of Justice for an advisory opinion concerning the meaning of a provision of the Charter. Should the General Assembly or the Security Council prefer another course, an ad hoc committee of jurists might be set up to examine the question and report its views, or recourse might be had to a joint conference. In brief, the Members or the organs of the Organization might have recourse to various expedients in order to obtain an appropriate interpretation.

14. AMENDMENTS

Committee I/2 was charged with the responsibility for drafting provisions relating to amendments to the Charter.

Chapter XI of the Dumbarton Oaks Proposals contained only one Article on amendments. This was amended as follows:

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the Members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all of the permanent members of the Security Council.

The Dumbarton Oaks Proposals did not provide for the calling of a general conference to review the Charter. The sponsoring Governments proposed an amendment providing for such a conference to meet the wishes expressed by several delegations. After lengthy debate on the voting procedure and the time limit for calling a general conference, the Committee decided to recommend the following provisions:

A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

Any alteration of the present Charter recommended by a two thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.

If such a conference has not been held before the tenth annual session of the General

Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

15. SIGNING OF THE CHARTER

At the final plenary session of the San Francisco Conference on June 25, 1945, the Charter of the United Nations was unanimously approved, the heads of the 50 delegations standing to mark their vote in favor.

President Harry S. Truman attended this final session in person and addressed the Conference on the conclusion of its historic task. He congratulated the delegates of all 50 nations upon having produced a solid structure on which could be built a better world.

On the following day the signing ceremony took place in the Veterans War Memorial Building at San Francisco. China, in recognition of its long-standing fight against aggression, was accorded the honor of being the first to sign. It was arranged that the signatures of the U.S.S.R., the United Kingdom and France should follow, and then, in alphabetical order, the remaining nations, with the United States, as host country, signing last. As each delegation came forward to sign, its chairman made an official speech to commemorate his country's participation in the work of the Conference.

16. RATIFICATION OF THE CHARTER

Under Article 110, the Charter of the United Nations, together with the Statute of the International Court of Justice, was to come into force upon the deposit with the Government of the United States of ratifications by China, France, the U.S.S.R., the United Kingdom, the United States, and by a majority of the other signatory States.

On October 24, 1945, the Charter came into force when the five permanent members of the Security Council and 24 other signatory States had deposited their ratifications with the Government of the United States. On that date the United States Secretary of State signed a Protocol of Deposit of Ratifications, which read as follows:

WHEREAS, paragraph 3 of Article 110 of the Charter of the United Nations, signed at San Francisco on June 26, 1945, provides as follows:

"3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America, which shall communicate copies thereof to all the signatory States.";

WHEREAS, the Charter of the United Nations has been signed by the Plenipotentiaries of fifty-one states;

WHEREAS, instruments of ratification of the Charter of the United Nations have been deposited by

the Republic of China on September 28, 1945, France on August 31, 1945, the Union of Soviet Socialist Republics on October 24, 1945, the United Kingdom of Great Britain and Northern Ireland on October 20, 1945, and the United States of America on August 8, 1945;

and by
 Argentina on September 24, 1945,
 Brazil on September 21, 1945,
 the Byelorussian Soviet Socialist Republic on October 24, 1945,
 Chile on October 11, 1945,
 Cuba on October 15, 1945,
 Czechoslovakia on October 19, 1945,
 Denmark on October 9, 1945,
 the Dominican Republic on September 4, 1945,
 Egypt on October 22, 1945,
 El Salvador on September 26, 1945,
 Haiti on September 27, 1945,
 Iran on October 16, 1945,
 Lebanon on October 15, 1945,
 Luxembourg on October 17, 1945,
 New Zealand on September 19, 1945,
 Nicaragua on September 6, 1945,
 Paraguay on October 12, 1945,
 the Philippine Commonwealth on October 11, 1945,
 Poland on October 24, 1945,
 Saudi Arabia on October 18, 1945,
 Syria on October 19, 1945,
 Turkey on September 28, 1945,

the Ukrainian Soviet Socialist Republic on October 24, 1945,
 Yugoslavia on October 19, 1945;

AND WHEREAS, the requirements of paragraph 3 of Article 110 with respect to the coming into force of the Charter have been fulfilled by the deposit of the aforementioned instruments of ratification;

Now THEREFORE, I, James F. Byrnes, Secretary of State of the United States of America, sign this Protocol in the English language, the original of which shall be deposited in the archives of the Government of the United States of America and copies thereof communicated to all the States signatory of the Charter of the United Nations.

DONE at Washington this twenty-fourth day of October, one thousand nine hundred forty-five.

James F. Byrnes
 Secretary of State
 of the United States of America

After the signature of this Protocol the following States deposited their instruments of ratification:

Country	Date of Deposit
Australia	November 1, 1945
Belgium	December 27, 1945
Bolivia	November 14, 1945
Canada	November 9, 1945
Colombia	November 5, 1945
Costa Rica	November 2, 1945
Ecuador	December 21, 1945
Ethiopia	November 13, 1945
Greece	October 25, 1945
Guatemala	November 21, 1945
Honduras	December 17, 1945
India	October 30, 1945
Iraq	December 21, 1945
Liberia	November 2, 1945
Mexico	November 7, 1945
Netherlands	December 10, 1945
Norway	November 27, 1945
Panama	November 13, 1945
Peru	October 31, 1945
Union of South Africa	November 7, 1945
Uruguay	December 18, 1945
Venezuela	November 15, 1945

L. THE PREPARATORY COMMISSION OF THE UNITED NATIONS

1. INTERIM ARRANGEMENTS

On June 26, 1945, when the delegates to the San Francisco Conference signed the Charter of the United Nations, they affixed their signatures at the same time to an agreement on Interim Arrangements. This agreement established a Preparatory Commission of the United

Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice.

The text of the agreement was as follows:

The Governments represented at the United Nations Conference on International Organization in the City of San Francisco,

Having determined that an international organization to be known as the United Nations shall be established,

Having this day signed the Charter of the United Nations, and

Having decided that, pending the coming into force of the Charter and the establishment of the United Nations as provided in the Charter, a Preparatory Commission of the United Nations should be established for the performance of certain functions and duties,

AGREE as follows:

1. There is hereby established a Preparatory Commission of the United Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice.

2. The Commission shall consist of one representative from each government signatory to the Charter. The Commission shall establish its own rules of procedure. The functions and powers of the Commission, when the Commission is not in session, shall be exercised by an Executive Committee composed of the representatives of those governments now represented on the Executive Committee of the Conference. The Executive Committee shall appoint such committees as may be necessary to facilitate its work, and shall make use of persons of special knowledge and experience.

3. The Commission shall be assisted by an Executive Secretary, who shall exercise such powers and perform such duties as the Commission may determine, and by such staff as may be required. This staff shall be composed so far as possible of officials appointed for this purpose by the participating governments on the invitation of the Executive Secretary.

4. The Commission shall:

(a) convoke the General Assembly in its first session;

(b) prepare the provisional agenda for the first sessions of the principal organs of the Organization, and prepare documents and recommendations relating to all matters on these agenda;

(c) formulate recommendations concerning the possible transfer of certain functions, activities, and assets of the League of Nations which it may be considered desirable for the new Organization to take over on terms to be arranged;

(d) examine the problems involved in the establishment of the relationship between specialized intergovernmental organizations and agencies and the Organization;

(e) issue invitations for the nomination of candidates for the International Court of Justice in accordance with the provisions of the Statute of the Court;

(f) prepare recommendations concerning arrangements for the Secretariat of the Organization; and

(g) make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization.

5. The expenses incurred by the Commission and the expenses incidental to the convening of the first meeting of the General Assembly shall be met by the Government of the United Kingdom of Great Britain and Northern Ireland or, if the Commission so requests, shared by other governments. All such advances from the governments shall be deductible from their first contributions to the Organization.

6. The seat of the Commission shall be located in London. The Commission shall hold its first meeting in San Francisco immediately after the conclusion of the United Nations Conference on International Organization. The Executive Committee shall call the Commission into session again as soon as possible after the Charter of the Organization comes into effect and whenever subsequently it considers such a session desirable.

7. The Commission shall cease to exist upon the election of the Secretary-General of the Organization, at which time its property and records shall be transferred to the Organization.

8. The Government of the United States of America shall be the temporary depositary and shall have custody of the original document embodying these interim arrangements in the five languages in which it is signed. Duly certified copies thereof shall be transmitted to the governments of the signatory states. The Government of the United States of America shall transfer the original to the Executive Secretary on his appointment.

9. This document shall be effective as from this date, and shall remain open for signature by the states entitled to be the original Members of the United Nations until the Commission is dissolved in accordance with paragraph 7.

IN FAITH WHEREOF, the undersigned representatives having been duly authorized for that purpose, sign this document in the English, French, Chinese, Russian, and Spanish languages, all texts being of equal authenticity.

DONE at the city of San Francisco this twenty-sixth day of June, one thousand nine hundred and forty-five.

2. FIRST SESSION OF THE PREPARATORY COMMISSION

The Preparatory Commission held its first session on June 27, 1945, at San Francisco immediately after the closing session of the Conference. It was agreed at this meeting that the Executive Committee should carry on in London the work of the Commission and should

call the full Preparatory Commission into session again as soon as possible after the Charter of the United Nations had come into effect. The Executive Committee was to choose its own officers and staff and to determine its own rules of procedure.

3. EXECUTIVE COMMITTEE OF THE PREPARATORY COMMISSION

The Executive Committee of the Preparatory Commission, consisting of representatives of Australia, Brazil, Canada, Chile, China, Czechoslovakia, France, Iran, Mexico, the Netherlands, the U.S.S.R., the United Kingdom, the United States and Yugoslavia, held its first meeting in London on August 16, 1945. The Committee elected Mr. Gladwyn Jebb as its Executive Secretary. The representatives of China, France, the U.S.S.R., the United Kingdom and the United States in turn served as Chairman of the Executive Committee for two weeks each. The representative of Brazil served as Chairman for the last meeting on November 24, at which the Executive Committee adopted provisional rules of procedure and a provisional agenda for the second session of the Preparatory Commission. He presented the Executive Committee's Report to the Preparatory Commission.

Under item 2 of the Interim Arrangements, the functions and powers of the Preparatory Commission, when it was not in session, were exercised by the Executive Committee. The Committee conceived it to be its duty to prepare for the second session of the Preparatory Commission by undertaking the work laid down in items 1 and 4 (b) to (g) of the Interim Arrangements. For this purpose the Executive Committee on September 1 set up the following ten committees:

Committee	Subject
Committee 1	General Assembly
Committee 2	Security Council
Committee 3	Economic and Social Council
Committee 4	Trusteeship Council
Committee 5	Court and Legal Problems
Committee 6	Arrangements for the Secretariat
Committee 7	Financial Arrangements
Committee 8	Relations with Specialized Agencies
Committee 9	League of Nations
Committee 10	General

The ten committees completed their work in seven weeks and made a number of recommendations and proposals. These recommendations and proposals were embodied in a Report of the Executive Committee to the Preparatory Commission.¹

4. SECOND SESSION OF THE PREPARATORY COMMISSION

The second session of the Commission began on November 24, 1945, and concluded on December 23. At its second meeting on November 26, 1946, the Preparatory Commission adopted the agenda and rules of procedure drafted by the Executive Committee and elected as Chairman Eduardo Zuleta Angel (Colombia) and as Vice-Chairmen D. Z. Manuilsky (Ukrainian S.S.R.) and Paul-Henri Spaak (Belgium).

The Preparatory Commission established eight Technical Committees as follows:

Committee	Subject
Committee 1	General Assembly
Committee 2	Security Council
Committee 3	Economic and Social Council
Committee 4	Trusteeship
Committee 5	Court and Legal Problems
Committee 6	Administrative and Budgetary
Committee 7	League of Nations
Committee 8	General Questions

Each of these committees was to consider and report on appropriate chapters and sections of the Report of the Executive Committee. In addition, the Commission, on the recommendation of the Executive Committee, appointed an Advisory Group of Experts on Administrative and Budgetary Questions and a Technical Advisory Committee on Information.

The Report of the Executive Committee served as the basis of the Preparatory Commission's work. While the Preparatory Commission did not in all cases adopt the recommendations and proposals of the Executive Committee, these played an indispensable part in the whole preparatory process. The work of the Preparatory Commission was embodied

The Report of the Executive Committee to the Preparatory Commission is available in all of the five official languages of the United Nations.

in a Report of the Preparatory Commission of the United Nations.¹

5. RECOMMENDATIONS OF THE PREPARATORY COMMISSION

Following is a brief review of the principal recommendations of the Preparatory Commission and of some of the major issues as they arose in the course of the deliberations both of the Executive Committee and the Preparatory Commission:

a. General Assembly

The Preparatory Commission recommended that the General Assembly meet at the earliest possible date. The Commission submitted the provisional agenda for the first session and Provisional Rules of Procedure for adoption by the General Assembly. It recommended that the Assembly establish six Main Committees (Political and Security; Economic and Financial; Social, Humanitarian and Cultural; Trusteeship; Administrative and Budgetary; Legal), two Procedural Committees (Credentials Committee and General Committee), two Standing Committees (Advisory Committee on Administrative and Budgetary Questions and Committee on Contributions) and such ad hoc committees as might be required from time to time.

As regards the Main Committees, representatives both in the Executive Committee and the Preparatory Commission differed as to whether there should be one or two committees to deal with questions in the economic and social field. In favor of a single committee it was argued that economic and social problems were closely interrelated and that one committee should have the overall review of the policy and program of the Economic and Social Council. In favor of two committees it was maintained that there would be so many different questions to be dealt with in the economic and social field that more than one committee would be needed, lest important work be neglected due to pressure of time. The work of two committees could be coordinated by joint meetings, joint sub-committee meetings or in the plenary sessions of the General Assembly. A small majority of the Executive Committee was in favor of the establishment of two committees. By a vote of 28 to 14, Committee 1 (General Assembly) of the Preparatory Commission decided in favor of the creation of two com-

mittees and the Preparatory Commission endorsed this decision.

Divergent views concerning the functions and the composition of the General Committee were expressed both in the Executive Committee and the Preparatory Commission. Some representatives considered that the General Committee should ensue the general political-direction of the work of the General Assembly and that committee members therefore should be chosen on the basis of broad geographical distribution. Other representatives considered that the main function of the General Committee was to guide the practical work of the General Assembly and that it was desirable to have a small, efficient committee whose members should be chosen primarily for their personal competence. Although a Sub-Committee of Committee 1 of the Preparatory Commission defined the functions of the General Committee as being primarily concerned with non-political matters, a Belgian amendment to the effect that "the General Committee cannot decide any political questions" failed to obtain the required two-thirds majority vote for adoption. The Preparatory Commission recommended that the General Committee consist of the President, the seven Vice-Presidents and the Chairmen of the Main Committees.²

Committee 1 (General Assembly) of the Executive Committee had voted 10 to 2 in favor of a Nominations Committee to nominate "candidates other than the President for functions which carry with them a seat on the General Committee." In the plenary meeting of the Executive Committee, however, this proposal obtained only 8 votes against 6, less than the required two-thirds majority. In favor of a Nominations Committee it was argued that only a properly constituted body would be able to give the exhaustive and intelligent appraisal necessary for the proper evaluation of candidates, taking due account of all such factors as personal competence, equitable geographical distribution, etc. In opposition, representatives pointed to the danger of concentrating too much power in a small body such as a Nominations Committee. The question of making nominations, they declared,

¹ The Report of the Preparatory Commission of the United Nations is available in all of the five official languages of the United Nations.

² The Executive Committee's recommendation included the Chairman of the Credentials Committee.

should be left to informal consultation between all of the Members of the General Assembly. After considerable discussion the Preparatory Commission decided by a vote of 37 to 3 against the creation of a Nominations Committee.

b. Security Council

The Preparatory Commission, on the basis of the Executive Committee's Report, recommended that the Security Council adopt the provisional agenda for its first meeting and the Rules of Procedure presented by the Commission. The representative of the first member of the Security Council in the English alphabetical order of the names of members was to act as temporary Chairman of the Council.

The Preparatory Commission recommended that at its first meeting the Council should adopt a directive requesting the Chiefs of Staff of the permanent members of the Security Council to meet at a given place and date and to constitute the Military Staff Committee. The provisional agenda for the first meeting of the Security Council included recommendation to the General Assembly on the appointment of a Secretary-General; election of members of the International Court of Justice; discussion on the organization of the staff which would assist the Council and the best means of negotiating special agreements for placing armed forces at the disposal of the Security Council.

The Preparatory Commission's recommendations regarding the Security Council were less detailed than those dealing with other organs of the United Nations, partly because it was felt that the Council would meet continuously and would be able to develop its own organization and program of work.

c. Economic and Social Council

The Preparatory Commission recommended that the Economic and Social Council be organized at the earliest practicable date and adopt the provisional agenda and Rules of Procedure submitted by the Preparatory Commission. The Executive Committee had recommended that the Economic and Social Council at its first session establish a Commission on Human Rights, an Economic and Employment Commission, a Temporary Social Commission, and a Statistical Commission, and consider the desirability of establishing at an early date a Demographic Commission and a Temporary

Transport and Communications Commission. At its first sessions the Council should consider the desirability of establishing a Co-ordination Commission.

The Preparatory Commission approved these recommendations, but it proposed that the Economic and Social Council, in addition, establish a Commission on Narcotic Drugs to deal with problems of the control of narcotic drugs and to take over certain of the functions in this field previously exercised by the League of Nations, and that it consider the desirability of establishing a Fiscal Commission. A proposal that a commission should be established to deal with the refugee problem was not accepted by the Preparatory Commission, although it was agreed that the problem should be considered by the Economic and Social Council. At the same time it was recommended that the General Assembly likewise consider the question because of the political problems involved.

The Executive Committee made no specific recommendations concerning the relationships of the Economic and Social Council with specialized agencies, but submitted a number of observations which the Preparatory Commission transmitted to the General Assembly "to serve as a guide to the Economic and Social Council in its negotiations with specialized agencies."

d. Trusteeship Council

The Preparatory Commission submitted Provisional Rules of Procedure of the Trusteeship Council. As the Trusteeship Council could not be established until some territories were placed under trusteeship the Executive Committee recommended the establishment of a Temporary Trusteeship Committee to carry out certain of the functions assigned by the Charter to the Trusteeship Council and to assist the United Nations in speeding the conclusion of Trusteeship Agreements. The representatives of Czechoslovakia, the U.S.S.R. and Yugoslavia opposed the establishment of such a committee on the ground that it was unconstitutional because it was not in accordance with the Charter. Some representatives questioned whether the establishment of such a committee would not retard rather than hasten the establishment of Trusteeship Agreements. Various alternative proposals presented to Committee 4 (Trusteeship) of the Preparatory Commission were referred to a

Sub-Committee composed of the representatives of Belgium, the U.S.S.R., Syria, the United Kingdom, the United States and Yugoslavia. Committee 4 and the Preparatory Commission adopted the Sub-Committee's recommendations, which consisted of a draft resolution to be adopted by the General Assembly calling on Mandatory Powers to undertake practical steps in concert with the other States directly concerned so that Trusteeship Agreements could be submitted for approval, preferably not later than the second part of the first session of the General Assembly.

e. International Court of Justice

The Interim Arrangements agreed upon at San Francisco empowered the Preparatory Commission (instead of the Secretary-General as provided for in Article 5 of the Statute of the Court) to issue invitations for the nomination of candidates for the International Court of Justice. The Statute of the Court, however, requires that invitations shall be issued at least three months before the election. In order that the election of the judges should take place at the first session of the General Assembly and the Security Council, the Executive Committee directed the Executive Secretary to issue the invitations. The Preparatory Commission approved this action and recommended that the General Assembly take the necessary steps for the convening of the International Court of Justice. It adopted a resolution stating that it would welcome the taking by the League of Nations of appropriate steps for the purpose of dissolving the Permanent Court of International Justice.

Certain of the members of the Preparatory Commission which were members of the League of Nations informed the Commission of their intention of moving at the forthcoming session of the League Assembly a resolution for dissolving the Permanent Court of International Justice, and stated that they would also take steps to require the assent of ex-enemy States which were parties to the Protocol of Signature of the Statute of the Court to any measures taken for dissolving the Court. Members of the Preparatory Commission which were parties to the Protocol of Signature recorded their assent to the Court's dissolution.

f. Registration of Treaties

Both the Executive Committee and the Preparatory Commission recommended that the

Secretary-General should work out details for the registration and publication of treaties in accordance with Article 102 of the Charter.

In order to prevent any gap occurring between the conclusion of the League of Nations treaty series and the beginning of a similar treaty series by the United Nations, the Executive Committee instructed the Executive Secretary to send a circular letter to the Members of the United Nations informing them that as from the date of the entry into force of the Charter of the United Nations treaties which Members sent in would be received and filed on a provisional basis until the adoption of detailed regulations. The Preparatory Commission approved this action. The Commission recommended that the General Assembly consider inviting non-Members to send on their own initiative treaties and international agreements for registration with and publication by the Secretariat and inviting all governments, whether or not Members of the United Nations to send for publication treaties and international agreements concluded before the date of entry into force of the Charter, which had not been included in the League of Nations treaty series.

g. Privileges, Immunities and Facilities of the United Nations

Upon the recommendation of the Executive Committee the Preparatory Commission instructed the Executive Secretary to invite the attention of the Members of the United Nations to the fact that under Article 105 of the Charter the obligation of all Members to accord to the United Nations all privileges and immunities necessary for the accomplishment of its purposes operated from the coming into force of the Charter. The Preparatory Commission transmitted to the General Assembly for its consideration and information a Study on Privileges and Immunities presented by the Executive Committee and a Draft Convention on Privileges and Immunities drawn up by a Sub-Committee of Committee 6 (Legal) of the Preparatory Commission. The Preparatory Commission recommended that the privileges and immunities of specialized agencies contained in their respective constitutions should be reconsidered with a view to their co-ordination with any convention ultimately adopted by the United Nations.

h. Secretariat

The Preparatory Commission adopted the Executive Committee's recommendation that the Secretariat be organized on a functional basis, each administrative unit being at the disposal of any organ of the United Nations for the performance of work falling within its competence. The principal units of the Secretariat should be: Department of Security Council Affairs, Department of Economic Affairs, Department of Social Affairs, Department of Trusteeship and Information from Non-Self-Governing Territories, Department of Public Information, Legal Department, Conference and General Services, Administrative and Financial Services. The Executive Committee rejected a minority proposal submitted by the Soviet delegation for the establishment of separate secretariats for each of the principal organs of the United Nations (Security Council, General Assembly, Economic and Social Council, Trusteeship Council).

Representatives differed as to the desirability of establishing one, or two, departments within the Secretariat to deal with questions in the economic and social field, but after discussion both the Executive Committee and the Preparatory Commission decided in favor of two departments. The Executive Committee rejected a proposal that an official of a status superior to that of a departmental head should ensure co-ordination between the two departments. The Preparatory Commission recommended that the Secretary-General should take the necessary steps to co-ordinate the work of the Department of Economic Affairs and the Department of Social Affairs.

As the Preparatory Commission considered that the United Nations could not achieve its purposes unless the peoples of the world were fully informed of its aims and activities, it appointed a Technical Advisory Committee on Information to make recommendations concerning the functions, policies and activities of the Department of Public Information. The Preparatory Commission transmitted the Technical Advisory Committee's recommendations to the General Assembly for its consideration. Moreover, the Commission appointed a small Sub-Committee to study certain aspects of the practical application of these recommendations and submit its report to the Secretary-General for his guidance.

The Executive Committee made recommendations concerning the recruitment of staff and the grading of posts in the Secretariat, drew up provisional staff regulations and recommended that the Preparatory Commission make detailed recommendations concerning salaries and allowances. It recommended that the Preparatory Commission consider the establishment of an International Civil Service Commission to advise the Secretary-General on methods of recruitment.

The Preparatory Commission considered that the Secretary-General's freedom to organize the Secretariat should not be restricted, however, by too much detail. In particular, it felt that it would be premature to make definite recommendations concerning salary scales. The Preparatory Commission recommended that the General Assembly should determine the salaries of the Secretary-General, the Assistant-Secretaries-General, and the top-ranking Directors, and that for all other posts the Secretary-General should determine a classification scheme. The question of salaries, allowances and pensions was referred for preliminary study to the Advisory Group of Experts appointed by the Preparatory Commission to assist the Executive Secretary in the development of administrative, budgetary and personnel policies.

The Preparatory Commission established a special Sub-Committee to revise, in consultation with the Advisory Group of Experts, the staff regulations submitted by the Executive Committee. Upon the recommendation of the subcommittee the Preparatory Commission divided the provisional staff regulations drafted by the Executive Committee into staff regulations defining the fundamental rights and obligations of the staff which the Preparatory Commission recommended should be adopted by the General Assembly, and provisional staff rules to implement the staff regulations, which were to be transmitted by the General Assembly to the Secretary-General for his information. The Preparatory Commission rejected a proposal requiring that appointments of staff members should be made only with the concurrence of the governments of the candidates concerned.

The Preparatory Commission recommended that the Secretary-General establish an International Civil Service Commission after consultation with the heads of specialized agencies.

i. Budgetary and Financial Arrangements.

In its recommendations the Preparatory Commission laid down the general principles which it considered should govern the financial and budgetary arrangements of the United Nations, leaving detailed arrangements for future consideration by the General Assembly. Draft provisional financial regulations submitted by the Advisory Group of Experts and the observations of certain delegations on them were referred to the General Assembly for its consideration.

To meet United Nations expenditures until such time as the first annual budget was approved by the United Nations the Preparatory Commission instructed the Executive Secretary, assisted by the Advisory Group of Experts, to prepare a provisional budget for submission to the first part of the first session of the General Assembly.

The Preparatory Commission recommended that the General Assembly establish an advisory committee on administration and budgetary questions and a committee on contributions, and that pending the appointment of the Advisory Committee the Secretary-General appoint an advisory group of experts similar to the one appointed by the Preparatory Commission.

j. Permanent Headquarters

On October 3, 1945, the Executive Committee voted 9 in favor, with 3 against and 2 abstaining, that "the permanent headquarters of the United Nations be located in the United States of America."

The Preparatory Commission assigned the question of the headquarters to Committee 8 (General Questions) for consideration. On November 29, 1945, Committee 8 appointed a Sub-Committee of seven members (Australia, Colombia, Cuba, Egypt, Iran, the Netherlands and Yugoslavia) to take evidence from delegations, municipalities and other bodies which had invited the United Nations to establish its seat within their territory. Notwithstanding the Executive Committee's recommendation that the headquarters be located in the United States, the whole question was reopened in the Preparatory Commission, many representatives expressing themselves in favor of Europe as the seat of the headquarters of the United Nations. A lengthy debate ensued, involving points of substance as well as procedure.

In favor of establishing the United Nations headquarters in Europe it was argued that Europe was the most important potential center of international unrest. The United Nations should be located where the need for action to maintain peace and security was greatest. If the United Nations were located away from Europe, with its troubles and sufferings arising from the war, this might result in official aloofness and lack of realism. Europe was the cultural center of a large part of the world; it was a natural center of communications and was closer to the capitals of the majority of the Members of the United Nations than the United States.

Another argument in favor of Europe as against the United States considered of major importance was that the United Nations should not be located in the territory of one of the major powers, in particular one of the five permanent members of the Security Council. A permanent member of the Security Council in the role of host State might exert undue influence over the organization and might obtain advantages not enjoyed by the other powers. On the other hand the presence of the United Nations on its territory might embarrass a permanent member of the Security Council and limit its freedom of action. The headquarters of the United Nations, therefore, should be established in a small country unaffected by major political and international issues. International influence, moreover, should be equitably distributed throughout the world. With the International Monetary Fund, the International Bank for Reconstruction and Development and the Food and Agriculture Organization of the United Nations located in the United States, it was not desirable to locate there, in addition, the headquarter of the United Nations.

In favor of establishing the headquarters of the United Nations in America it was maintained that Europe was not the only center of international difficulties and that other areas such as the Pacific or South America should not be neglected. The United Nations should be a truly international and not a regional organization. Moreover, the prevention of international conflict was only one of the functions of the United Nations. It was hoped that its positive tasks in the fields of international economic, social and cultural co-operation would become increasingly important. The United States with its traditions of peace and

freedom and in view of its location between Europe and the Pacific countries would provide the best choice. The League of Nations had failed despite the fact that it was located in Europe. A new start toward world peace should be made in a new atmosphere.

In answer to the contention that the headquarters should not be located in the territory of a major power, lest one of them gain greater influence and prestige than the others, it was pointed out that this argument was based on the old concept of balance of power, while the concept underlying the establishment of the United Nations was that of collective security. The United Nations should be international in spirit and action, wherever its headquarters were located. Finally, the location of the headquarters of the United Nations in the United States would help to ensure the support of the American people for the United Nations, which was an important factor in its success.

At its meeting of December 15, 1945, an amendment to the Executive Committee's report recommending Europe in place of the United States as the site of the permanent headquarters was defeated by a vote of 25 to 23, with 2 abstentions. Following the defeat of this amendment, the recommendation of the Executive Committee was carried with a vote of 30 in favor and 14 against, with 6 abstentions. The recommendation having been passed by a two-thirds majority, it was decided that the vote be made unanimous.

On December 22, 1945, Committee 8 voted 22 to 6, with 12 abstentions, against a motion that the site should be located in the west of the United States. The Committee then approved an eastern site by a vote of 25 to 5, with 10 abstentions.

On December 20 the Sub-Committee charged with taking evidence from deputations which had come to invite the United Nations reported to Committee 8 that it had received deputations from some fifteen communities in the United States, but that more time was required to make a satisfactory report concerning a specific site for the United Nations headquarters. Committee 8 therefore decided that the Sub-Committee should close its hearings and that an interim committee be appointed to start functioning upon the close of the Preparatory Commission's session. The interim committee composed of twelve members would determine the exact requirements

for a United Nations site and would examine specific sites in the light of these requirements. The Preparatory Commission on December 23 approved the recommendations of Committee 8.

On December 28 the Interim Committee approved as a location for the site the following areas: within 50 to 60 miles from Boston, Massachusetts; east of the Hudson River in New York or Connecticut, between 25 and 80 miles from New York City; or the Princeton, New Jersey, area. The Committee appointed an Inspection Group of seven members, who left London on January 4, 1946, and arrived in New York on January 5; then proceeded to study areas near Boston, Princeton and New York; and departed for London on February 2. The Inspection Group recommended that the permanent headquarters should be established: (1) near to New York City, and (2) in the North Stamford - Greenwich district.

k. League of Nations

Representatives to the Executive Committee and the Preparatory Commission agreed that it was desirable that the United Nations should take over certain of the functions, powers, activities and assets of the League of Nations. Opposition was expressed, however against assumption by the United Nations of political functions exercised by the League of Nations under international agreements. Some representatives opposed the transfer even of certain non-political functions of the League. The Preparatory Commission therefore recommended that the United Nations take over only custodial, technical and non-political functions belonging to the League under international agreements, and that the General Assembly reserve its right, after due examination, not to assume any particular function and power. Concerning non-political activities performed by the League of Nations other than those arising from international agreements, the Preparatory Commission recommended that the Economic and Social Council survey these functions to determine which of them should be assumed by the United Nations. Pending the conclusion of this survey the Economic and Social Council should provisionally continue certain of these functions. The Preparatory Commission's recommendations were put in the form of a draft resolution for adoption by the General Assembly.

On December 18, 1945, the Preparatory Commission appointed a Committee consisting of one representative each designated by the delegations of Chile, China, France, Poland, South Africa, the U.S.S.R., the United Kingdom and the United States to enter into discussions with the League of Nations Super-

visory Committee for the purpose of establishing a common plan for the transfer of the assets of the League of Nations to the United Nations. This Common Plan was to be submitted to the first part of the first session of the General Assembly for approval.

ANNEX I

REPRESENTATIVES AT THE DUMBARTON OAKS CONVERSATIONS

CHINA

V. K. Wellington Koo
Wei Tao-ming
Victor Chi-tsai Hoo
General Shang Chen

UNION OF SOVIET SOCIALIST REPUBLICS

Andrei A. Gromyko
Arkady A. Sobolev
Semen K. Zarapkin
Major-General Nikolai V. Slavin
Rear Admiral Konstantin K. Rodionov
Sergei A. Golunsky
Sergei B. Krylov
Grigori G. Dolbin
Mikhail M. Yunin

UNITED KINGDOM

Sir Alexander Cadogan
Lord Halifax
Sir William Malkin
Admiral Sir Percy Noble
Lieutenant-General G. N. Macready
Major-General M. F. Grove-White
Air-Marshal Sir William Welsh
Air-Vice-Marshal R. P. Willock

Commodore A. W. Clarke
Sir George Sansom
Gladwyn Jebb
Colonel Denis Capel-Dunn
Peter Loxley
C. K. Webster
P. H. Gore-Booth

UNITED STATES

Edward R. Stettinius, Jr.
Isaiah Bowman
Benjamin V. Cohen
James Clement Dunn
Lieutenant-General Stanley D. Embick
Major-General Muir S. Fairchild
Henry P. Fletcher
Joseph Clark Grew
Green H. Hackworth
Admiral Arthur J. Hepburn
Stanley K. Hornbeck
Breckinridge Long
Leo Pasvolksy
Major-General George V. Strong
Rear-Admiral Harold C. Train
Vice-Admiral Russell Willson
Edwin C. Wilson

ANNEX II

REPRESENTATIVES AND OFFICERS AT THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION, SAN FRANCISCO

Representatives

ARGENTINA

Miguel Angel Carcano
Oscar Ibarra Garcia
Brigadier-General Juan Carlos Bassi
Rear-Admiral Alberto D. Brunet

AUSTRALIA

Francis Michael Forde
Herbert Vere Evatt

BELGIUM

Paul-Henri Spaak
Auguste De Schryver
Albert Marteaux

Victor de Laveleye
Baron Robert Silvercrucys
Charles De Visscher
Fernand van Langenhove
Lieutenant-Colonel Henri Rolin
Fernand Dehousse
Joseph van der Elst
Walter Loridan
Joseph Nisot
Roland Lebeau
Baron Pierre de Gaiffier d'Hestroy

BOLIVIA

Gustavo Chacón
Victor Andrade

Eduardo Arze Quiroga
Carlos Salamanca
Luis Iturralde

BRAZIL

Pedro Leão Velloso
Carlos Martins
Cyro de Freitas Valle
Major-General Estevão Leitãs de Carvalho
Major-General Armando Figueira
Trompowsky de Almeida
Admiral Sylvio de Noronha
Antonio Camillo de Oliveira
Dr. Bertha Lutz

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Kuzma V. Kiselev
Anton R. Zhebrak
Vladimir N. Pertsev
Georgy I. Baidakov
Frol P. Shmigov

CANADA

W. L. Mackenzie King
L. S. St. Laurent
J. H. King
Lucien Moraud
Gordon Graydon
M. J. Coldwell
Mrs. Cora T. Casselman

CHILE

Joaquín Fernández
Marcial Mora
Miguel Cruchaga
José Maza
Gabriel Gonzalez-Videla
Carlos Contreras-Labarca
Eduardo Cruz-Coke
Félix Nieto del Río
Amílcar Chiorrini
Enrique Alcalde
Guillermo del Pedregal
Oscar Gajardo Villarroel
Germán Vergara
Julio Escudero

CHINA

T. V. Soong
V. K. Wellington Koo
Wang Chung-hui
Wei Tao-ming
Hu Shih
Miss Wu Yi-fang
Li Hwang
Tung Pi-wu
Hu Lin

COLOMBIA

Alberto Lleras Camargo
Roberto Urdaneta Arbeláez
Miguel López Pumarego
Alberto González Fernández
Eduardo Zuleta Angel
Silvio Villegas
Jesús Mariá Yepes

COSTA RICA

Julio Acosta García
Luis Anderson Morua
Alvaro Bonilla Lara
Francisco de P. Gutiérrez
Luis Demetrio Tinoco Castro
J. Rafael Oreamuno
Julio Peña Morua

CUBA

Guillermo Belt Ramirez
Ernesto Dihigo López Trigo
Ramiro Guerra y Sánchez
Francisco Aguirre

CZECHOSLOVAKIA

Jan Masaryk
Vladimír S. Hurban
Jan Papánek
Ivan Kerno
Karel Cervenka
Josef Hanc
Vladimír Vochoč
Václav Benes

DOMINICAN REPUBLIC

Manuel A. Peña Batlle
Emilio García Godoy
Gilberto Sánchez Lustrino
Tulio Franco y Franco
General Antonio Leyba y Pou
Miss Minerva Bernardino

ECUADOR

Camilo Ponce Enríquez
Luis Eduardo Laso
Galo Plaza
Gonzalo Escudero Moscoso
Neftalí Ponce
Carlos Tobar Zaldumbide

EGYPT

Abdel Hamid Badawi Pasha
Ibrahim Bey Abdel Hadi
Mahmoud Pasha Hassan

EL SALVADOR

Hector David Castro
J. Antonio Quiros
Carlos Leiva

ETHIOPIA

Bitwodded Makonnen Endalkachau
 Aklilou Abte-Wold
 Ambai Wold-Mariam
 Blatta Ephrem Tewelde Medhen
 Emmanuel Abraham
 Menasse Lemma

FRANCE

Georges Bidault
 René Pléven
 François Billoux
 Joseph Paul-Boncour
 Henri Bonnet

GREECE

John Sofianopoulos
 Kyriakos Varvaessos
 John Politis
 Thanassis Aghnides
 Cimon Diamantopoulos
 Nicholas G. Lély

GUATEMALA

Guillermo Toriello
 Manuel Noriega Morales
 Eugenio Silva Peña

HAITI

Gérard E. Lescot
 Vély Thébaud
 General Alfred Nemours
 André Liautaud

HONDURAS

Julián R. Cáceres
 Marcos Carias Reyes
 Virgilio R. Gálvez

INDIA

Sir A. Ramaswami Mudaliar
 Sir Firoz Khan Noon
 Sir V. T. Krishnamachari

IRAN

Mostafa Adle
 Bagher Kazemi
 AH Akbar Siassi
 Nasrollah Entezam
 Allah Yar Saleh
 Ghasem Ghani
 Mohammed Shayesteh
 Major-General Ali Riazi
 Sadigh Rezazadeh Schafagh
 Jalal Abdoh
 Abdoul Hosein Etebar

IRAQ

Arshad Al-Omari
 Ali Jawdat
 Nasrat Al-Farsy
 Fadhil Al-Jamali

LEBANON

Wadih Naim
 Abdallah Yafi
 Joseph Salem
 Charles Habib Malik

LIBERIA

C. L. Simpson
 Gabriel L. Dennis
 Lemuel Gibson
 Richard Henries
 Colonel Moses Grant

LUXEMBOURG

Joseph Bech
 Hugues Le Gallais

MEXICO

Ezequiel Padilla
 Francisco Castillo Nájera
 Primo Villa Michci
 Manuel Tello

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 Alexander Loudon
 H. J. van Hook
 J. C. Kielstra
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 Charles O. van der Plas
 Major-General A. G. van Tricht
 Father L. J. C. Beaufort

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Mariano Argüello Vargas
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 Colonel Luis Manuel de Bayle

NORWAY

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 Arne Ording
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Juan R. Morales
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Arturo García
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Maximo M. Kalaw
Carlos P. Garcia
Pedro López
Francisco A. Delgado
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Colonel Alejandro Melchor
Vicente G. Sinco

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Amir Faisal ibn Abdul Aziz
Hafiz Wahba
Asad El-Faqih

SYRIA

Faris el-Khoury
Naim al-Antaki
Nazem al-Koudsi

TURKEY

Hasan Saka
Hüseyin Ragip Baydur
Feridun Cemal Erkin

UKRAINIAN SOVIET SOCIALIST REPUBLIC

Dmitry Z. Manuilsky
Ivan S. Senin
Alexander Palladin
Vladimir G. Bondarchuk
Peter S. Pogrebniak
Nikolas N. Petrovsky

UNION OF SOUTH AFRICA

Field-Marshal Jan Christian Smuts
D. D. Forsyth
Leif Egeland

UNION OF SOVIET SOCIALIST REPUBLICS

V. M. Molotov
V. V. Kuznetsov
A. I. Lavrentiev
A. A. Gromyko
K. V. Novikov
S. K. Zarapkin
A. A. Sobolev
S. A. Golunsky
S. B. Krylov
Rear-Admiral K. K. Rodionov
Lieutenant-General A. F. Vassiliev

UNITED KINGDOM

Anthony Eden
Clement Attlee
The Viscount Cranborne
The Earl of Halifax

UNITED STATES OF AMERICA

Edward R. Stettinius, Jr.
Cordell Hull
Tom Connally
Arthur H. Vandenberg
Sol Bloom
Charles A. Eaton
Commander Harold E. Stassen
Dean Virginia C. Gildersleeve

URUGUAY

José Serrato
Jacobo Varela
Juan Carlos Blanco
Roberto E. MacEachen
Mrs. Isabel P. de Vidal
César Charlone
Captain Héctor Luisi
Cyro Giambruno
Juan F. Guichón
Hector Payssé Reyes

VENEZUELA

Caracciolo Parra-Pérez
Gustavo Herrera
Alfredo Machado-Hernandez
Rafael Ernesto López

YUGOSLAVIA

Ivan Subasic
Sreten Zujovic
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Presidents of the Conference

Edward R. Stettinius, Jr., Chairman of the Delegation of the United States	V. M. Molotov, Chairman of the Delegation of the Union of Soviet Socialist Republics
T. V. Soong, Chairman of the Delegation of China	Anthony Eden, Chairman of the Delegation of the United Kingdom

Officers of Commissions and Committees

Commission & Committee	Officers
Commission I	President: Henri Rolin (Belgium) Rapporteur: Vicente G. Sinco (Philippine Commonwealth) Assistant Secretary General: Charles Habib Malik (Lebanon)
Committee I/1	Chairman: Dmitry Z. Manuisky (Ukraine) Rapporteur: Farid Zeineddine (Syria)
Committee I/2	Chairman: Alvaro Bonilla Lara (Costa Rica) Rapporteurs: Gérard E. Lescot (Haiti) Jamil Daoud El-Mussalmy (Saudi Arabia)
Commission II	President: Field-Marshal Jan Christian Smuts (South Africa) Rapporteur: Octavio Méndez Pereira (Panama) Assistant Secretary General: C. L. Simpson (Liberia)
Committee II/1	Chairman: Hasan Saka (Turkey) Rapporteur: Kuzma V. Kiselev (Byelorussia)
Committee II/2	Chairman: Victor Andrade (Bolivia) Rapporteur: Tulio Franco y Franco (Dominican Republic)
Committee II/3	Chairman: Sir A. Ramaswami Mudaliar (India) Rapporteur: Manuel Noriega Morales (Guatemala)
Committee II/4	Chairman: Peter Fraser (New Zealand) Rapporteur: Joseph Bech (Luxembourg)
Commission III	President: Wilhelm Munthe Morgenstierne (Norway) Rapporteur: Celso R. Velázquez (Paraguay) Assistant Secretary General: Julián R. Cáceres (Honduras)
Committee III/1	Chairman: John Sofianopoulos (Greece) Rapporteur: Hector David Castro (El Salvador)
Committee III/2	Chairman: José Serrato (Uruguay) Rapporteur: G. P. Arkadiev (U.S.S.R.)
Committee III/3	Chairman: Camilo Ponce Enríquez (Ecuador) Rapporteur: Joseph Paul-Boneour (France)
Committee III/4	Chairman: Alberto Lleras Camargo (Colombia) Rapporteur: V. K. Wellington Koo (China)
Commission IV	President: Caracciolo Parra-Perez (Venezuela) Assistant Secretary General: Ato Emmanuel Abraham (Ethiopia)
Committee IV/1	Chairman: Manuel C. Gallagher (Peru) Rapporteur: Nasrat Al-Farsy (Iraq)
Committee IV/2	Chairman: Abdel Hamid Badawi Pasha (Egypt) Rapporteur: Mariano Arguello Vargas (Nicaragua)

Officers of the Secretariat

Secretary-General Alger Hiss	Assistant Executive Secretaries Robert B. Stewart John C. Dreier
Deputy Secretary-General John C. Ross	Administrative Secretary William D. Wright
Executive Secretary C. E. Rothwell	Deputy Administrative Secretaries John Russell Millard Kenestrick Stephen P. Dorsey
Deputy Executive Secretary Carter L. Burgess	Merle K. Wood O. H. Transtrum

ANNEX III

MEMBERS AND OFFICERS OF THE EXECUTIVE COMMITTEE AND OF THE PREPARATORY COMMISSION

Members of the Executive Committee

Country	Representative
Australia	H. V. Evatt
Brazil	C. de Freitas-Valle
Canada	W. F. A. Turgeon
Chile	Manuel Bianchi
China	V. K. Wellington Koo
Czechoslovakia	Jan Masaryk
France	René Massigli
Iran	Nasrollah Entezam
Mexico	Luis Padilla Nervo
Netherlands	J. H. van Roijen
U.S.S.R.	A. A. Gromyko
United Kingdom	P. J. Noel-Baker
United States	Edward R. Stettinius, Jr.
Yugoslavia	Ljubo Leontic

Chairmen of Committees of the Executive Committee

Committee	Chairman
Committee 1 (General Assembly)	P. J. Noel-Baker
Committee 2 (Security Council)	Edward R. Stettinius, Jr.
Committee 3 (Economic and Social Council)	Victor Chi-tsai Hoo
Committee 4 (Trusteeship Council)	H. V. Evatt
Committee 5 (Court and Legal Problems)	S. B. Krylov succeeded by H. McKinnon Wood
Committee 6 (Arrangements for the Secretariat)	A. Pelt
Committee 7 (Financial Arrangements)	Glenvil Hall
Committee 8 (Relations with Specialized Agencies)	B. J. O. Schrieke succeeded by Raoul Aglion
Committee 9 (League of Nations)	Jacques Fouques-Duparc
Committee 10 (General)	Nasrollah Entezam

Origin and Evolution

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Members of the Preparatory Commission

Country	Representative
Argentina	Adolfo Scilingo
Australia	H. V. Evatt
Belgium	P.-H. Spaak
Bolivia	Carlos Salamanca
Brazil	C. de Freitas-Valle
Byelorussia	Kuzma Venediktovich Kiselev
Canada	L. D. Wilgress
Chile	Manuel Bianchi
China	V. K. Wellington Koo
Colombia	Eduardo Zuleta Angel
Cuba	Guillermo Belt
Czechoslovakia	Jan Masaryk
Denmark	Franz Hvass
Dominican Republic	Porfirio Herrera-Baez
Ecuador	Antonio Parra Velasco
Egypt	Abdel Hamid Badawi Pasha
El Salvador	Gustavo Guerrero
Ethiopia	Blatta Ephrem Tewelde Medhen
France	René Massigli
Greece	Th. Aghnides
Guatemala	Miguel Ydigoras-Fuentes
Haiti	Léon Laleau
Honduras	Tiburcio Carias, Jr.
India	Sir A. Ramaswami Mudaliar
Iran	Nasrullah Entezam
Iraq	Col. Shakir el Wadi
Lebanon	Camille Chamoun
Liberia	J. J. Pearson
Luxembourg	Joseph Bech
Mexico	Luis Padilla Nervo
Netherlands	J. Pl. van Roijen
New Zealand	R. M. Campbell
Nicaragua	Eduardo Avilés Ramirez
Norway	Erik Colban
Panama	Roberto Jiménez
Paraguay	Gen. Andrés Aguilera
Peru	Ricardo Riviera Schreiber
Philippines	Pedro Lopez
Poland	Zygmunt Modzelewski
Saudi Arabia	H. R. H. Faisal ibn 'Abdul 'Aziz
Syria	Najeeb al Armanazi
Turkey	Cevad Acikalin
Ukraine	Dmitro Z. Manuilsky
Union of South Africa	G. Heaton Nicholls
U.S.S.R.	Andrei A. Gromyko
United Kingdom	P. J. Noel-Baker
United States	Edward R. Stettinius, Jr.
Uruguay	R. E. MacEachen
Venezuela	Manuel Perez Guerrero
Yugoslavia	Stoyan Gavrilovic

Chairman of the Preparatory Commission

Eduardo Zuleta Angel

Vice-Chairmen of the Preparatory Commission

D. Z. Manuilsky

P.-H. Spaak

Chairmen of Technical Committees of the Preparatory Commission

Committee	Chairman
Committee 1 (General Assembly)	Erik Colban
Committee 2 (Security Council)	Zygmunt Modzelewski
Committee 3 (Economic and Social)	Sir Ramaswami Mudaliar
Committee 4 (Trusteeship)	Guillermo Belt
Committee 5 (Legal Questions)	Abdel Hamid Badawi Pasha
Committee 6 (Administrative and Budgetary)	Th. Aghnides
Committee 7 (League of Nations)	Najeeb al Armanazi
Committee 8 (General Questions)	R. E. MacEachen

SECRETARIAT

Executive Secretary of the Executive
Committee and of the
Preparatory Commission
Gladwyn Jebb

Deputy Executive Secretary
A. D. K. Owen

Executive Committee

Section	Chief of Section
1. General Assembly	Andrew Cordier
2. Security Council	M. P. Shakhov
3. Economic and Social Council	Paul Guérin
4. Trusteeship Council	Ping-chia Kuo
5. Court and Legal Questions	Václav Benes
6. Arrangements for the Secretariat	Martin Hill
7. Financial Arrangements	C. R. S. Harris
8. Relations with Specialized Agencies	John D. Tomlinson
9. League of Nations	C. Beelaerts van Blokland
10. General	Benjamin Cohen

Preparatory Commission

Section	Chief of Section
1. General Assembly	Andrew Cordier
2. Security Council	M. P. Shakhov
3. Economic and Social	J. D. Tomlinson
4. Trusteeship	Ping-chia Kuo
5. Legal Questions	E. Hambro
6. Administrative and Budgetary	Martin Hill
7. League of Nations	C. Beelaerts van Blokland
8. General Questions	Benjamin Cohen