

UNCIO - Working Papers - Commissions + Technical Committees - Committee '12
(Corrigenda, Summary + Progress Reports)

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RESTRICTED
June 21, 1945

The Venezuelan Delegation desires that the following statement be included in the minutes of the meeting which the Committee held on Saturday night, June 14:

It abstains from voting in favor of the text of paragraph 2, Chapter XI, because this paragraph stipulates that amendments would enter into force, with respect to all Members of the Organization, that is to say, with respect also to those who had not ratified them in accordance with their constitutional processes, which is contrary to the provisions of the Venezuelan Constitution. On the other hand, the Venezuelan Delegation is in agreement with the rest of the paragraph.

June 17, 1945

(Signed) Machado-Hernandez
(Delegate)

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Shurt

SUMMARY REPORT OF THE TWENTYSECOND MEETING OF COMMITTEE I/2

Veterans Building, Room 303, June 14, 1945, 4:15 p.m.

The meeting was called to order by the Chairman at 4:15.

1. Consideration of Chapter XI.

The Chairman directed the attention of the Committee to "Memorandum of Decisions of Committee I/2/E (Amendments), June 14, 1945 (WD 301). He announced that the Committee would discuss paragraph three of this memorandum, the decision of the Subcommittee on the time limit for calling of a Special Conference on the revision of the Charter. The Subcommittee had voted 9 to 6 in favor of the joint motion of the Delegates of Canada and Brazil to recommend that the Special Conference be called not sooner than the 5th nor later than the 10th year after the coming into force of the Charter.

The Delegate of the United States spoke in favor of omitting reference to a specific time limit for calling

a conference and asked the Committee to uphold the views of the minority *of* the Subcommittee on this question.

The Delegate of Australia supported the recommendation of the Subcommittee. He stated that this period would be one of transition for the international organization, but its specific mention in the Charter would not deprive the Organization of the permanent or stable character. It would not prejudice the ordinary method of amendment, while it was consistent with the sentiments of many of the powers who were opposed to the extensive veto power of the major powers.

The Delegate of Iran stressed the fact that the Sponsoring Powers were not insisting on the veto in calling the Special Conference and felt that the Committee should accept this concession.

The Canadian Delegate explained that the Canadian-Brazilian motion would satisfy those who desired certainty in calling the Special Conference. He supported the pro-

cedure for calling a Conference, but explained that, if it were not applied at the end of ten years, there would have to be provision for automatically calling a Special Conference.

The Delegate of Syria and the Delegate of Lebanon spoke in support of the amendment of the Sponsoring Powers on this subject.

The Delegate of Peru believed that if a special time limit were established for calling a Special Conference, this foresight on the part of the Conference would have a tremendous psychological effect in support of the Charter. He explained that such provision for revising the Charter would have wide public appeal.

The Delegate of the Soviet Union defended the proposal of the Sponsoring Powers, which he considered more flexible than the Canadian-Brazilian motion. He argued that this motion detracted from the permanent character of

the Organization and might lead to a situation from which a conference would have to be called despite the opposition to the conference by the Organization.

The Delegate of Belgium stated that the majority of the Subcommittee were asking for full examination of the Charter within a certain specified period. The provision for five to ten years might assist in reducing the pressure for revision at an earlier date and before the Organization received a fair test. He explained that in view of the number of ^{anomalies} ~~analogies~~ in the Charter, it might be difficult to secure public support for the Charter without such a specific provision for revision. He continued that the Canadian-Brazilian motion merely provided for such conference and hence did not subject the Organization to instability. He also stated that a number of states would wish to enter the Organization with the understanding that opportunity for revision would exist within a reasonable period of time.

The Delegate of Brazil interpreted the arguments of the United States, Soviet Union, and Syria in favor of the Canadian-Brazilian motion. She drew an analogy between the Organization and an engineering project and stressed the importance of an experimental period in which reasonable opportunity existed for necessary change.

The Delegate of Lebanon, in supporting the proposal of the Sponsoring Powers, asked what the situation would be if, at the end of ten years, ~~if~~ the Special Conference ^{were} ~~was~~ not called according to the provision of the Charter.

The Delegate of the Soviet Union pointed out that an impression should not be created that the major powers were imposing measures upon the other nations against their will. He considered that the Great Powers~~x~~ had made considerable concessions to the other participating members of the Conference. He reiterated the importance of the Organization to the small powers, which depended upon the major powers

for peace and security, as evidenced by the current war.

He concluded by saying that if at the end of ten years, the Organization was opposed to a revision conference, this would mean the governments were unwilling to call such a conference.

The Delegate of Uruguay believed it necessary to see how the veto power would be exercised and stated that such a revision conference would provide an opportunity for the members to denounce any country abusing the veto power. He pointed out that the Canadian-Brazilian motion was not to be considered a challenge to the major powers, but was to recognise the possibility of change even among the major powers.

The Delegate of Egypt stated that the key to this question was a decision on ratification of amendments and believed that no decision on ^a revision conference could be taken until a ratification procedure had been approved.

The Australian Delegate, in attempting to answer this observation, explained that the points in the memor-

andum of the Subcommittee under consideration were inter-related. He added that the question under consideration should be decided upon its merits. He elucidated upon the motion under consideration and stressed the fact that there would be only one conference ~~under the proposal~~ with powers to review the Charter. He believed that the choice before the Committee was to hold a revision conference at one time or another. He suggested that no vote be taken on the question until tomorrow's meeting.

The Delegate of the Philippine Commonwealth requested that the maximum and minimum limits for calling a Conference be separated and voted upon independently.

The Delegate of Mexico informed the Committee that, if the Canadian-Brazilian motion should be interpreted as an *expression of a* lack of confidence in the Sponsoring Powers, then Mexico would have to vote against the motion. The Committee assured the Delegate that no such interpretation was involved.

The Delegate of New Zealand supported the proposal for specifying a time limit within which the revision conference should be held. He argued that it was necessary to offer adequate opportunity for proposing changes to the Charter which are desired by a number of countries. He stated that a number of points in the Charter were contrary to the tradition position of New Zealand, but he would be able to defend them before his ^{Parliament} ~~colony~~ if he could offer some hope for change in the Charter.

The Chairman asked the Committee whether or not it was ready to vote on point three. The Egyptian Delegate once again stressed the importance of taking up the question of ratification before a vote was taken on this issue. The Delegate of Belgium explained that the machinery in the Subcommittee supported the procedure proposed by the Sponsoring Powers for ratification. He continued that provision for withdrawal would be related to the procedure of ratification.

The Delegate of Australia pointed out that only if the Committee accepted the proposal of the Sponsoring Powers on ratification, would further decision be taken on the question of withdrawal.

The Chairman announced that the Committee would vote at its next meeting on the recommendation of the Subcommittee on the Canadian-Brazilian motion.

The meeting was adjourned at 6:35.

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The Delegate of the United States spoke in favor of omitting reference to a specific time limit for calling

a conference and asked the Committee to uphold the views of the minority ~~of~~ the Subcommittee on this question.

The Delegate of Australia supported the recommendation of the Subcommittee. He stated that this period would be one of transition for the international organization, but its specific mention in the Charter would not deprive the Organization of the permanent or stable character. It would not prejudice the ordinary method of amendment, while it was consistent with the sentiments of many of the powers who were opposed to the extensive veto power of the major powers.

The Delegate of Iran stressed the fact that the Sponsoring Powers were not insisting on the veto in calling the Special Conference and felt that the Committee should accept this concession.

The Canadian Delegate explained that the Canadian-Brazilian motion would satisfy those who desired certainty in calling the Special Conference. He supported the pro-

cedure for calling a Conference, but explained that, if it were not applied at the end of ten years, there would have to be provision for automatically calling a Special Conference.

The Delegate of Syria and the Delegate of Lebanon spoke in support of the amendment of the Sponsoring Powers on this subject.

The Delegate of Peru believed that if a special time limit were established for calling a Special Conference, this foresight on the part of the Conference would have a tremendous psychological effect in support of the Charter. He explained that such provision for revising the Charter would have wide public appeal.

The Delegate of the Soviet Union defended the proposal of the Sponsoring Powers, which he considered more flexible than the Canadian-Brazilian motion. He argued that this motion detracted from the permanent character of

the Organization and might lead to a situation ⁱⁿ ~~from~~ which a conference would have to be called despite the opposition to the conference by the Organization.

The Delegate of Belgium stated that the majority of the Subcommittee were asking for full examination of the Charter within a certain specified period. The provision for five to ten years might assist in reducing the pressure for revision at an earlier date and before the Organization *had* received a fair *trial* ~~test~~. He explained that in view of the number of *anomalies* ~~analogies~~ in the Charter, it might be difficult to secure public support for the Charter without such a specific provision for revision. He continued that the Canadian-Brazilian motion merely provided for such conference and hence did not subject the Organization to instability. He also stated that a number of states would wish to enter the Organization with the understanding that opportunity for revision would exist within a reasonable period of time.

The Delegate of Brazil interpreted the arguments of the United States, Soviet Union, and Syria in favor of the Canadian-Brazilian motion. She drew an analogy between the Organization and an engineering project and stressed the importance of an experimental period in which reasonable opportunity existed for necessary change.

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for peace and security, as evidenced by the current war.

He concluded by saying that if at the end of ten years, the Organization was opposed to a revision conference, this would mean the governments were unwilling to call such a conference.

The Delegate of Uruguay believed it necessary to see how the veto power would be exercised and stated that such a revision conference would provide an opportunity for the members to denounce any country abusing the veto power. He pointed out that the Canadian-Brazilian motion was not to be considered a challenge to the major powers, but was to recognize the possibility of change even among the major powers.

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The Delegate of the Philippine Commonwealth requested that the maximum and minimum limits for calling a Conference be separated and voted upon independently.

The Delegate of Mexico informed the Committee that if the Canadian-Brazilian motion should be interpreted as a *expression of a* lack of confidence in the Sponsoring Powers, then Mexico would have to vote against the motion. The Committee assured the Delegate that no such interpretation was involved.

The Delegate of New Zealand supported the proposal for specifying a time limit within which the revision conference should be held. He argued that it was necessary to offer adequate opportunity for proposing changes to the Charter which are desired by a number of countries. He stated that a number of points in the Charter were contrary to the ~~tradition~~ ^{tradition} position of New Zealand, but he would be able to defend them before his ~~Parliament~~ ^{Parliament} if he could offer some hope for change in the Charter.

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The Delegate of Australia pointed out that only if the Committee accepted the proposal of the Sponsoring Powers on ratification, would further decision be taken on the question of withdrawal.

The Chairman announced that the Committee would vote at its next meeting on the recommendation of the Subcommittee on the Canadian-Brazilian motion.

The meeting was adjourned at 6:35.

PRÉCIS

Committee I/2

June 14, 1945

Committee I/2 discussed the time limit for calling a special conference on the revision of the Charter. Subcommittee I/2/E recommended to the Committee that the special conference be called not sooner than the fifth nor later than the tenth year after the coming into force of the Charter. The Committee concluded its discussion on this question but postponed the vote until its next meeting.

JOURNAL

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June 14, 1945

Committee I/2 discussed the time limit for calling a special conference on revision of the Charter. This question was presented to the Committee in the "memorandum of decision of the Committee I/2/E (amendments), June 14, 1945". The Subcommittee had voted 9 to 6 in favor of the joint motion of Delegates of Canada and Brazil ^{to recommend that the special conference} be called not sooner than the fifth nor later than the tenth year after the coming into force of the Charter. The debate in the Committee was *de-* voted exclusively to this question. The Committee concluded its discussion at this session and postponed the vote on the question until its next meeting.

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