

UNCIO - Working papers - Commissions & technical committees  
- Commission II Committee I - 12<sup>th</sup> meeting

15 May 1945  
30 May 1945

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May 25, 1945

To: Executive Committee

Subject: Approval of Paragraph 2, Section B, Chapter V  
by Committee II/1

This will inform you that Committee I of Commission II has on this date completed the consideration of and has approved paragraph 2 of Section B of Chapter V of the Dumbarton Oaks Proposals with the following changes:

Section B. Functions and Powers

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

2. The paragraph as now approved by the Committee reads  
as follows:

The General Assembly may admit new members  
to the Organization upon the recommendation  
of the Security Council.

3. The following French text has been approved by the  
Committee:

Section B. Fonctions et Pouvoirs

2. L'Assemblée Générale a le pouvoir  
d'admettre de nouveaux membres dans l'Or-  
ganisation sur la recommandation du  
Conseil de Sécurité.

4. This letter is forwarded to you in compliance with  
"Conference Procedure on Drafting Final Charter" as ap-  
proved by the Steering Committee on May 10, 1945.

\_\_\_\_\_  
Secretary  
Committee I  
Commission II

Approved:

\_\_\_\_\_  
Executive Officer  
Commission II



May 26, 1945

SECRETARIES OF COMMISSION II:

Subject: Form for reporting approved drafts to the Executive Committee for transmission to the Coordination Committee.

Attached you will find a model of the form in which approved drafts should be reported to the Executive Officer. You will note that there is first stated that chapter, section and paragraph with deleted words stricken out and added words inserted and underlined. This is followed by the text of the paragraph as now approved by the committee and this is followed in turn by the authorized French text when such authorized French text exists.

These reports should be prepared in 6 or 7 copies. When an approved French text is reported, 5 copies are to be delivered to room 437. When an approved text is not reported and when, hence, a translation must be made, 6 copies are to be delivered to room 437. The additional copy, in either case, is for the files of the Executive Office.

Huntington Gilchrist

Le 24 mai 1945

DE: Mr. W.A. Brown  
Secrétaire du Comité II/1  
Compte-rendu du Rapporteur

A: Mr. Hasan Saka

Il me paraît que notre Comité, ainsi que d'autres, pourraient prendre, entre le moment où notre Comité a approuvé le Rapport et celui où se réunira la Commission, des décisions qui entraîneront de légères modifications au Compte-Rendu du Rapporteur auprès de la Commission.

N'y aurait-il pas lieu, dans ces conditions, que vous demandiez au Comité de donner au Rapporteur les pouvoirs nécessaires pour effectuer ces modifications avant la réunion de la Commission et sans avoir à revenir devant notre Comité pour obtenir son approbation?

Communication du Comité II/3 (Budget)

II/3: Nous avons reçu la communication suivante du Comité

"Au cours d'une de ses séances tenue le 24 mai 1945, le Comité II/3 a approuvé la recommandation suivante de son Sous-Comité de rédaction au sujet de sa recommandation appuyant l'amendement des quatre gouvernements invitants du paragraphe V,B,7:

"Le Sous-Comité recommande de demander au Comité II/1 d'examiner si les dispositions de V,B,5 sont assez étendues pour embrasser tous les arrangements financiers et budgétaires qu'il serait nécessaire de prendre avec les organismes techniques actuels et futurs."

Le Président du Comité II/3 m'a prié d'attirer l'attention des membres intéressés du bureau du Comité II/1 sur cette recommandation."

L'amendement des Quatre Puissances auquel il est fait mention dans la recommandation ci-dessus est rédigé comme suit:

"L'Assemblée Générale examinera les budgets administratifs de ces Organismes spécialisés en vue de faire des recommandations aux dits Organismes."

Il ne m'a pas encore été possible de m'informer soit auprès de la Délégation du Royaume Uni soit auprès de celle des Etats Unis, si ces Délégations étaient prêtes à présenter un amendement au paragraphe 5 de la Section B du Chapitre V.

Je suggère donc que le Secrétaire nous donne simplement lecture de cette communication comme extrait de son exposé sur les questions en suspens de son Comité. Si l'une des Délégations désire nous saisir d'une motion, elle pourra le faire à cette occasion.



2  
THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

Pullman

Agreed.

Sub. Committee

May 27 -  
1945

~~It shall consider~~

I + V B 5

The G.A. shall apportion the  
expenses among the members of the  
Organization. It shall consider and  
approve the budgets of the  
Organization. ~~It may enter into financial~~  
~~and budgetary arrangements with~~  
~~specialized agencies as far as the~~  
~~provisions contemplated in Chapter IX,~~  
~~Section A, paragraph 2.~~ brought  
into relationship ~~as contemplated~~  
with the Organization under the  
provisions of Chapter IX, Section A,  
paragraph 2.

W. Adams Runk  
Secretary

*[Handwritten mark]*

*[Handwritten notes and signatures]*  
Approved  
not ready  
may be  
revised

II/I/A

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

Tout membre qui serait en défaut de paiement de ses contributions à l'Organisation sera suspendu son droit de vote tant que ses arriérés s'élèveront à deux années entières de contributions. Toutefois l'Assemblée Générale pourra le relever de cette sanction si elle estime que le retard dans le paiement est justifié par des motifs légitimes.

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

- 5 L'Assemblée Générale répartira les dépenses entre les membres de l'Organisation. Elle aura le pouvoir de discuter et d'approuver les budgets de l'Organisation, ainsi que tout accord financier et budgétaire à conclure avec des institutions spécialisées avec lesquelles l'Organisation aurait établi des rapports en exécution des dispositions du Chap. IX Section A par. 2.

French text to # 5 Article B Ch V

Approved

sub-committee II/1

March 27 1945

~~WBS~~

William Bump  
Secretary



X

5. The General Assembly ~~should~~ shall apportion the expenses among the members of the Organization. and ~~should~~ be empowered to approve the budgets of the Organization. ~~The General Assembly~~ shall consider and approve the budgets of the Organization as well as any financial and budgetary arrangements with specialized agencies brought into relationship with the Organization under the provisions of Chapter IX, Section A, paragraph 2.

5. L'Assemblée Générale répartira les dépenses entre les membres de l'Organisation. Elle aura le pouvoir de discuter et d'approuver les budgets de l'Organisation, ainsi que tout accord financier et budgétaire à conclure avec les institutions spécialisés avec lesquelles l'Organisation aurait établi des rapports en exécution des disposition du Chapitre IX, Section A, paragraphe 2.

#### Section C. Voting

1. Each member of the Organization ~~should~~ shall have one vote in the General Assembly. A member which is in arrears in the payment of its financial contributions to the Organization shall have no vote so long as its arrears amount to its contributions for two full years. The General Assembly may waive the penalty if it is satisfied that the reasons for delay in payment are justifiable.

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

1. Chaque membre de l'Organization aura une voix dans l'Assemblée Générale. Tout membre qui serait en défaut de paiement de ses contributions à l'Organisation <sup>d</sup>sera suspendu son droit de vote tant que ses arrières <sup>/</sup> s'élèverent à deux années entières de contributions. Toutefois l'Assemblée Générale pourra de relever de cette sanction si elle estime que le retard dans le paiement est justifié par des motifs légitimes.



THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

## COMMISSION II      General Assembly

Committee I      Structure and Procedures

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### REPORT OF THE DRAFTING SUBCOMMITTEE OF COMMITTEE II/1

The Drafting Subcommittee has prepared the following report for approval by the full Committee and transmission to the Coordination Committee. Recommended texts in English and French have been drafted which incorporate all the decisions thus far taken by the full Committee. Where necessary footnotes have been appended to the texts. The report has been prepared in the form in which the Coordination Committee wishes to receive reports from all drafting committees. The original English wording of the Dumbarton Oaks Proposals appears in plain type, new wording is underlined, and rejected or altered wording is crossed out.

#### REPORT

Committee II/1 recommends that the following provisions be inserted in Chapter V (The General Assembly) of the Charter:

#### CHAPTER V--THE GENERAL ASSEMBLY

#### CHAPITRE V--L'ASSEMBLEE GENERALE

##### 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. The General Assembly shall consist of representatives of the members of the Organization. Each member may have not more than five representatives.

##### Section A. Composition.

L'Assemblée Générale se compose de représentants des membres de l'Organisation. Chaque membre ne pourra avoir plus de cinq représentants.



.....

Section B. Functions and Powers

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

Section B. Fonctions et Pouvoirs

2. L'Assemblée Générale a le pouvoir d'admettre de nouveaux membres dans l'Organisation sur la recommandation du Conseil de Sécurité.

.....

4. The General Assembly ~~should~~ shall elect the non-permanent members of the Security Council and the members of the Economic and Social Council provided for in Chapter IX.  
1/ It ~~should~~ be empowered to shall elect the Secretary General of the Organization upon the recommendation of the Security Council, made by an affirmative vote of seven members. 2/ ~~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. The General Assembly shall elect the judges of the International Court of Justice in accordance with the Statute of the Court.~~ 3/

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1/ Committee II/1 calls the attention of the Coordination Committee to the fact that another committee has established two definite criteria by which the General Assembly shall be guided in electing the members of the Security Council. These criteria are so general in character that Committee II/1 suggests that it may be necessary in the final draft of this Article of the Charter to include some such phrase as: "according to rules adopted" after the word "elect", in order to define more clearly the way in which the General Assembly shall comply with the provisions of Chapter VI, Section A.

2/ This wording is intended by the Committee to mean a majority of any seven members, not requiring the concurrent votes of the five permanent members.

3/ The Committee calls attention to the discussion in progress in Commission IV which may result in a provision which does not give exclusive authority to the Assembly to elect judges and to the possibility that a change may be necessary from the word "elect" in this sentence to "participate in the election of".



4. L'Assemblée Générale élira les membres nonpermanents du Conseil de Sécurité et les membres du Conseil Economique et Social. Elle élira le Secrétaire Général de l'Organisation, sur présentation par le Conseil de Sécurité. Cette présentation devra être approuvée au sein du Conseil de Sécurité par un vote affirmatif de sept membres. L'Assemblée Générale procédera à l'élection des juges conformément au statut de la Cour Internationale de Justice.

5. The General Assembly ~~should~~ shall apportion the expenses among the members of the Organization, and ~~should~~ be empowered to approve the budgets of the Organization. The budgets of the Organization shall be submitted to the Assembly for consideration and approval.

5. L'Assemblée Générale répartira les dépenses parmi les membres de l'Organisation. Elle aura le pouvoir de discuter et d'approuver les budgets de l'Organisation.

.....

#### Section C. Voting

1. Each member of the Organization ~~should~~ shall have one vote in the General Assembly. A member which is in arrears in the payment of its financial contributions to the Organization shall have no vote so long as it remains in arrears. 4/

1. Chaque membre de l'Organisation aura une voix dans l'Assemblée Générale. Le droit de vote de tout membre de l'Organisation qui serait en retard de payer ses contributions à l'Organisation sera suspendu aussi longtemps que les paiements n'auront pas été effectués.

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4/ The Committee calls attention to the necessity for defining the period of time that a member must be in arrears in the payment of its financial contributions before it loses its vote. The possibility has also been raised of giving the General Assembly authority to suspend the penalty for failure to pay its contributions to the Organization if a member is in arrears through no fault of its own. It is understood that these questions are being discussed in Committee I/2 and that there will probably be a need to insert the period of time in Section C, paragraph 1, after Committee I/2 has finished its deliberations.



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; ~~expulsion of members~~; suspension of the rights and privileges of members; and budgetary questions, ~~should~~ shall be made by a two-thirds majority of those present and voting. 5/ ~~On other questions, the decisions of The General Assembly should be made shall decide by a simple majority of those present and voting all other questions including the determination of~~ additional categories of questions to be decided by a two-thirds majority.

2. Les décisions importantes de l'Assemblée Générale, notamment les recommandations relatives au maintien de la paix internationale et de la sécurité; l'élection des membres du Conseil de Sécurité; l'élection des membres du Conseil Economique et Social; l'admission de membres; la suspension de l'exercice de leurs droits et privilèges, et les questions budgétaires, seront prises à la majorité des deux-tiers des voix des membres présents et votants. L'Assemblée Générale statuera à la majorité simple des voix des membres présents et votants sur toutes les autres questions, notamment lorsqu'il s'agira de déterminer les matières non prévues dans l'énumération ci-dessus et qui doivent faire l'objet d'un vote à la majorité des deux-tiers.

#### Section D. Procedure

1. The General Assembly ~~should~~ shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convened by the Secretary General at the request of the Security Council or of a majority of the members of the Organization.

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5/ The Committee calls attention to the fact that provision for voting on "expulsion of members" has not been included in this paragraph because the question of expulsion is being considered in Committees I/2 and II/2. In the event that the General Assembly is given the power to expel members it would be necessary to consider whether that question should be acted upon by a two-thirds majority.

1. L'Assemblée Générale se réunira en sessions régulières une fois par an et en sessions extraordinaires chaque fois que les circonstances le nécessiteront. Les sessions extraordinaires seront convoquées soit à la demande du Conseil de Sécurité, soit sur demande de la majorité des membres de l'Organisation.

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

2. L'Assemblée Générale adoptera son propre règlement et élira son président pour chaque session.

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

3. L'Assemblée Générale pourra créer tous organismes qui lui paraîtront nécessaires à l'accomplissement de ses fonctions.

Committee II/1 approved and sent to Committee I/2 the following sentences which it recommends for inclusion in Chapter X, paragraph 1:

The Secretary General shall be elected for a term of three years. He shall be eligible for reelection.

Le Secrétaire Général sera élu pour une période de trois ans. Il sera rééligible.

Committee II/1 calls the attention of the Coordination Committee to the fact that other technical committees are considering proposals on the General Assembly which may add to its powers and functions, for which procedural provision will be needed. In the event that such proposals or other proposals are adopted, it will be necessary for Committee II/1 to make consequential changes in the recommended texts.



SUMMARY REPORT OF TWELFTH MEETING OF COMMITTEE IV/1

Veterans Building, Room 202, May 24, 1945, 8:30 p.m.

1. Privileges and Immunities of Court Personnel

The Committee considered a proposal by the delegates of Iran and Mexico conferring immunities on agents and counsel of parties before the Court (Doc. 545, IV/1/40). It was pointed out that this problem might be important because these persons might have to travel through several countries to reach the Court, and also because of the possibility that special chambers of the Court might sit at places other than the Hague.

The proposal, reading as follows, was adopted and added as an amendment to Article 42:

"The agents and counsel of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties."

2. Election of Judges

The Committee considered the report of the Subcommittee appointed to draft Articles 8-12, and made several minor verbal changes in Articles as drafted.

The Committee approved Articles 8-12 of the draft Statute, with the following amendments:

Article 10:

"Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12 hereunder, shall be taken without any distinction between permanent and non-permanent members of the Council"

Article 12:

Modify paragraph 1 as follows:

"... for the purpose of choosing by the vote of an absolute majority, one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance."

### 3. Nationality of Judges

The Australian delegate presented an interpretative amendment to be added to Article 3, designed to make clear for purposes of membership on the Court the status of persons with dual nationality, such as citizens of members of the British Commonwealth. The problem arises in Articles 3, 5, 10, and 31, which make nationality a criterion for various purposes. A number of the delegates spoke in favor of the Australian proposal, although doubt was voiced as to the wisdom of setting a precedent at this time for solution of the difficult problems of dual nationality.

The Committee adopted the following as an addition to Article 3 of the draft Statute:

"A person who for the purposes of membership of the Court under this Statute could be regarded as a national of more than one State or member of the United Nations shall be deemed to be a national of that State or member in which he ordinarily exercises civil and political rights."

### 4. Nomination of Judges

Having previously voted in favor of the principle of nomination by the national groups in the Permanent Court of Arbitration rather than direct nomination by governments, the Committee proceeded to vote on the text of Articles 4, 5 and 6 of the draft Statute.

Attention was called to the fact that, since Article 5 requires the Secretary General to give at least three months' notice of an election, some special provision would be necessary in order to permit the first election to take place during the first meeting of the Assembly. It was understood that this was under consideration along with other special problems relating to the establishment of the organization and would not need to be inserted in the Statute itself. The Secretary was asked to inform the Committee if any further action on its part appeared necessary in this connection. A proposal that Article 6 be amended to include bar associations among the groups recommended to be consulted in connection with the nomination of judges, was made. It was pointed out on the other hand that each national group was free to consult whatever bodies seemed appropriate. The proposal was disapproved.



✓ The Committee approved as Articles 4, 5 and 6 the texts proposed by the Committee of Jurists to carry out the principle of indirect nominations (left-hand columns of Doc. Jurist 82).

5. Parties

The Committee took up Article 34, dealing with access to the Court, and had before it a Venezuelan amendment (Doc. 284, I/4/24). In view of the complexity of the issues raised by this proposal, further discussion was postponed and the Committee adjourned.



May 24, 1945

TO: Mr. Hasan Saka

FROM: Mr. W. A. Brown  
Secretary of Committee II/1  
Rapporteur's Report

It has occurred to me that our Committee and other Committees may take some action which will require minor changes in the Report of the Rapporteur to Commission 2 between the time of our meeting at which we approved the Report and the time of the meeting of the Commission.

Would it not be desirable, therefore, for you to ask the Committee to give the Rapporteur authority to make such necessary changes before the Commission Meeting without having to come back to our Committee for approval?

Communication from Committee II/3 (Budgetary)

We have received the following recommendation from Committee II/3:

"At a meeting of Committee II/3 on May 24, 1945, the Committee approved the following recommendation of its Drafting Subcommittee in connection with its recommendation that the amendment of the four sponsoring governments to paragraph V, B, 7 be accepted:

"The Subcommittee recommends that Committee II/1 be asked to consider whether the provisions of V, B, 5 are broad enough to cover the variety of financial and budgetary arrangements which it may be necessary to make with existing and future specialized agencies."

The Chairman of Committee II/3 requested me to bring this recommendation to the attention of the appropriate officers of Committee II/1."

The Four Power amendment referred to in the above recommendation reads as follows:

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

I have not yet been able to learn from the United Kingdom or United States Delegations whether they are ready to propose a motion to amend paragraph 5 of Section of Chapter V.

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

TO: Mr. W. A. Brown, Jr.  
Secretary of Committee II/1

FROM: Mr. Max Gideonse <sup>208</sup> II/3  
Secretary of Committee III/2

At a meeting of Committee II/3 on May 24, 1945, the Committee approved the following recommendation of its drafting subcommittee in connection with its recommendation that the amendment of the four sponsoring governments to paragraph V, B, 7 ~~by~~ accepted:

"The Subcommittee recommends that Committee II/1 be asked to consider whether the provisions of V, B, 5 are broad enough to cover the variety of financial and budgetary arrangements which it may be necessary to make with existing and future specialized agencies."

The Chairman of Committee II/3 requested me to bring this recommendation to the attention of the appropriate officers of Committee II/1.



May 24, 1945

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Secretary of Committee II/1  
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The Chairman of Committee II/3 requested me to bring this recommendation to the attention of the appropriate officers of Committee II/1."

The Four Power amendment referred to in the above recommendation reads as follows:

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

I have not yet been able to learn from the United Kingdom or United States Delegations whether they are ready to propose a motion to amend paragraph 5 of Section B of Chapter V.

May 24, 1945

TO: Mr. Hasan Saka

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Secretary of Committee II/1  
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Would it not be desirable, therefore, for you to ask the Committee to give the Rapporteur authority to make such necessary changes before the Commission Meeting without having to come back to our Committee for approval?

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The Chairman of Committee II/3 requested me to bring this recommendation to the attention of the appropriate officers of Committee II/1."

The Four Power amendment referred to in the above recommendation reads as follows:

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



I have not yet been able to learn from the United Kingdom or United States Delegations whether they are ready to propose a motion to amend paragraph 5 of Section B of Chapter V.

May 24, 1945

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Secretary of Committee II/1  
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The Chairman of Committee II/3 requested me to bring this recommendation to the attention of the appropriate officers of Committee II/1."

The Four Power amendment referred to in the above recommendation reads as follows:

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

I have not yet been able to learn from the United Kingdom or United States Delegations whether they are ready to propose a motion to amend paragraph 5 of Section B of Chapter V.



SUMMARY REPORT OF THE TWELFTH MEETING OF COMMITTEE II/1

Veterans Building, Room 303, May 26, 1945, 3:35 p. m.

The Chairman, Mr. Hasan Saka (Turkey), opened the meeting at 3:35 p. m.

The Committee considered the second report of its Drafting Subcommittee which, in consultation with members of Committee II/3, has drawn up a new text for Chapter V, Section B, paragraph 5.

1. Chapter V, Section<sup>B</sup>, Paragraph 5 (Apportionment of Expenses and Budgets)

~~After due deliberation,~~ the Committee approved the English and French texts of the paragraph as follows:

The General Assembly shall apportion the expenses among the members of the Organization. It shall consider and approve the budgets of the Organization as well as any financial and budgetary arrangements with specialized agencies brought into relationship with the Organization under the provisions of Chapter IX, Section A, paragraph 2.

L'Assemblée Générale répartira les dépenses entre les membres de l'Organisation. Elle aura le pouvoir de discuter et d'approuver les budgets de l'Organisation, ainsi que tout accord financier et budgétaire à conclure avec les institutions spécialisées avec lesquelles l'Organisation aurait établi des rapports en exécution des dispositions du Chapitre IX, Section A, paragraphe 2.

2. Chapter V, Section C, Paragraph 1 (Loss of Voting Rights)

The Committee discussed whether the period of arrears in payment of contributions for which a member state should be penalized by loss of voting rights should be one or two years. The Delegate of the United States expressed his opinion to the effect that according to his legislative experience two years is not to be considered long and that it would be unfair to deprive a member state of its voting rights for such delay.



The Egyptian Delegate observed that the French text was not in exact accord with the wording of the English text. He also suggested that the last word of the recommended text, "justifiable", be replaced by the phrase "beyond its control". The Delegate of Australia suggested that the word "justifiable" be replaced by a phrase, "beyond the control of the state in question".

By vote of 20 to 0 the Committee approved the English text as follows:

Each member of the Organization shall have one vote in the General Assembly. A member which is in arrears in the payment of its financial contributions to the Organization shall have no vote so long as its arrears amount to its contributions for two full years. The General Assembly may waive the penalty if it is satisfied that the reasons for delay in payment are beyond the control of the state in question.

~~The Committee emphasized, however, that the French text should be brought into conformity with the English text.~~

Chaque membre de l'Organisation aura une voix dans l'Assemblée Générale. Le droit de vote de tout membre qui serait en retard dans le paiement de ses contributions sera suspendu aussi longtemps que le montant des arriérés dus par lui s'élèverait à deux années entières. Toutefois l'Assemblée Générale pourra le relever de cette sanction si elle estime que le retard dans le paiement est justifié par des motifs volontaires.

### 3. Chapter V, Section C, Paragraph 2

By vote of 26 to 0 the Committee approved without discussion the text recommended by the Drafting Subcommittee reading as follows:

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; expulsion of members, suspension of the rights and privileges of members; and budgetary questions, should



shall be made by a two-thirds majority of those present and voting. On other questions, the decisions of the General Assembly should be made shall decide by a simple majority of those present and voting all other questions including the determination of additional categories of questions to be decided by a two-thirds majority.

Les décisions importantes de l'Assemblée Générale, notamment les recommandations relatives au maintien de la paix internationale et de la sécurité; l'élection des membres du Conseil de Sécurité; l'élection des membres du Conseil Economique et Social; l'admission de membres; la suspension de l'exercice de leurs droits et privilèges, et les questions budgétaires, seront prises à la majorité des deux-tiers des voix des membres présents et votants. L'Assemblée Générale statuera à la majorité simple des voix des membres présents et votants sur toutes les autres questions, notamment lorsqu'il s'agira de déterminer les matières non prévues dans l'énumération ci-dessus et qui doivent faire l'objet d'un vote à la majorité des deux-tiers.

4. Chapter V, Section D, Paragraph 1

The Delegate of Greece observed that the phrase "as occasion may arise" is superfluous. The Delegate of the United Kingdom, however, explained that for purpose of clarity those words be kept in the text. The Delegate of Turkey observed that the words "Secretary General" in the English are left out of the French text.

The Committee by a vote of 28 to 0 approved the English text as follows:

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convened by the Secretary General at the request of the Security Council or a majority of the members of the Organization.



5. Chapter V, Section D, Paragraph 2

Without discussion the Committee approved by vote of 29 to 0 the following English and French texts:

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

L'Assemblée Générale adoptera son propre règlement et élira son président chaque session.

6. Chapter V, Section D, Paragraph 3

By a vote of 28 to 0 the Committee approved both the English and French texts as follows:

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

L'Assemblée Générale pourra créer tous organismes qui lui paraîtront nécessaires à l'accomplissement de ses fonctions.

7. Draft Report of the Rapporteur of the Committee.

The Committee considered the Draft Report of the Rapporteur paragraph by paragraph. The Committee approved paragraphs 1, 2, 3, 4, and 5 of the report. The Committee approved paragraphs 6, 7 and 8 with modifications to read as follows:

"In fixing the number of representatives at not more than five the Committee felt that for a number of reasons a proper distribution of work could be achieved and that member states could secure the advantages of consultation within their delegations.

"Admission of New Members (Chapter V, Section B, Paragraph 2). The Committee recommends that new members be admitted by the General Assembly upon recommendation of the Security Council. In supporting the acceptance of this principle several delegates emphasized 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.

"Elections by the General Assembly (Chapter V, Section B, Paragraph 4). The Committee recommends that the General Assembly elect the nonpermanent members of the Security Council and members of the Economic and Social Council. The Committee discussed the problem of whether the adoption by Committee II/1 of the four power amendment providing two general criteria by which the General Assembly shall be guided in electing nonpermanent members of the Security Council would require any consequential amendments in Chapter V, Section B, Paragraph 4. It was recommended that it might be desirable to provide that the election of nonpermanent members of the Security Council should be in accordance with the rules established by the General Assembly."

This recommendation has been communicated to the Coordinating Committee, but no qualifying words have been incorporated in the text recommended by Committee II/1.

The meeting adjourned at 5:55 p. m.



Mr. Powers  
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AGENDA FOR THE TWELFTH MEETING OF COMMITTEE II/1

May 26, 1945. 3:30 P. M.

- (1) Report of the drafting Subcommittee on consultation with Committee II/3.
- (2) Continuation of consideration of report of the drafting Subcommittee (Doc. 560, May 25th).
- (3) Consideration of the report of the Rapporteur to be presented to Commission II (Doc. 570, May 25th).
- (4) Statement by the Secretary on the unfinished business of the Committee.