

UNCIO - Working Papers - Commissions + Technical Committees - Commission II
Plenary Session - (General)

1 May 1945
30 June 1945

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THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

June 23, 1945

TO ALL COMMITTEE SECRETARIES:

(From HG)

Ask each of the secretaries if they will check the text of the rapporteur's report again to make sure of two points:

1. That all interpretations in the committee reports are included in the rapporteur's report, and
2. That there are no omissions in the rapporteur's report of any other points of importance in the committee rapporteur's reports.

First draft
Frank Kidner
June 24, 1945

(Summary report of rapporteur to plenary session.)

Commission II, under the presidency of Field Marshal Jan Christian Smuts, was charged by the Conference in Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations dealing with the General Assembly, the Economic and Social Council and International Trusteeship.

The Commission carried on its work through four Technical Committees. Committee I, under the chairmanship of ~~Mr~~
~~XXXXXXXXXX~~ The Honorable Hasan Saka, Minister for Foreign Affairs of Turkey, dealt with the Structure and Procedures of the General Assembly; Committee ²II, under the chairmanship of The Honorable Victor Andrade, Ambassador to the United States from Bolivia, considered the functions and powers of the Assembly; Committee ³III, under the chairmanship of Sir A. Ramaswami Mudaliar, Supply Member of the Governor General's Executive Council of India, dealt with Economic and Social Cooperation, and Committee 4, presided over by The Honorable Peter Fraser, Prime Minister and Minister of External Affairs of New Zealand, dealt with the question of International Trusteeship.

The first three of these committees took as their terms of reference the relevant parts of the Dumbarton Oaks Proposals together with the comments and suggestions of the participating nations. The fourth committee based its discussion upon a working paper prepared upon the proposals submitted by the Delegations of Australia, China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States.

Each of the Committees reported the results of its labors in its Rapporteurs' Report and each report was considered and approved by the Commission. The Reports of the Rapporteurs of the four Technical Committees constitute integral parts of the report of the Rapporteur of Commission II which has been circulated to you and which I have the honor hereby to submit to the Plenary Session for its consideration and approval.

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Chairmanship of His Excellency Hossain Sabar,
Foreign Minister of Turkey dealt with
the Structure and Procedures of the General
Assembly; Committee II under the
Chairmanship of His Excellency Victor Oryzade
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~~problems of the~~ functions and powers
of the Assembly; Committee III, under the
Chairmanship of Sir A. R. K. Somerville
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Mr. Gilchrist

MEMORANDUM

June 25, 1945

To: Executive and Assistant Executive Officers
From: John C. Dreier

In connection with the Plenary Session this evening, I should appreciate your taking care of the following matters for your Commission:

- (1) See that Officers of Commissions are informed of the procedure to be followed in hearing the reports of the Rapporteurs of Commissions.
- (2) See that the necessary documents from your Commission are at the Opera House in case Delegates ask for copies.
- (3) Be ready to escort the Officers of your Commission to their proper seats on the Speaker's Stand when called upon by the President of the Conference.

For your information, Lord Halifax has said that he wishes to start the meeting promptly at 9:30 p.m.

*✓ Smith
✓ Rapph
✓ Simpson*

JCD

JCD:JAM

June 22, 1945

SUGGESTED PROGRAM FOR COMMISSION REPORTS AT PLENARY SESSION

The meeting is scheduled for Monday morning at ten o'clock. Lord Halifax will preside.

All officers of the Commissions will take their seats with their delegations at the start of the meeting. There will be some business before the first Commission report.

The President of the Conference will call upon the officers of the Commission (President, Rapporteur, Assistant Secretary General, and Executive Officer) to come forward and take their seats in four chairs situated to the right of the speaker's stand (as you face the stage). Commissions will be called in numerical order.

The President of the Conference will then ask the Rapporteur of the Commission to deliver his report. This report should be a brief summary of the action of the Commission to which may be appended as annexes, copies of the Committees' reports. It is expected that all of the rapporteurs of the Commissions will read their reports in English, so that no translation will be required. Copies of the report will have been distributed in advance to all delegates in French and English.

It is believed that a rapporteur's report of four or five pages single-spaced should be sufficient, which should take between ten and fifteen minutes to read.

Following the reading of the rapporteur's report, the President of the Conference will call for a standing vote without asking for comments. Following the vote, the officers of the Commission will take their seats and the President will call upon the officers of the next Commission to come to the platform.

After the report of Commission IV has been approved, the President of the Conference will call for a standing vote on the entire Charter, copies of which will have been distributed to the delegates.

Note: The report of Commission IV will be presented by Dr. Parra-Perez, President of the Commission, there being no rapporteur.

REPORT OF THE RAPPORTEUR OF COMMISSION II
TO THE PLENARY SESSION

Commission II was charged by the Conference at its Fifth Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations relating primarily to the General Assembly, the Economic and Social Council, and International Trusteeship.

The three Technical Committees of this Commission which were concerned with the General Assembly and the Economic and Social Council took as the basis of their discussions the provisions of Chapters V and IX of the Dumbarton Oaks Proposals and the comments and suggestions relevant thereto submitted by the Governments of the participating nations. Its fourth Technical Committee, on Trusteeship, took as the basis of its discussions a working paper prepared on the general foundation of proposals submitted by the Delegations of Australia, China, France, the Soviet Union, the United Kingdom, and the United States.

Commission II, in the course of four meetings, received and considered reports submitted to it by the Rapporteurs of its four Technical Committees, and now submits to the Plenary Session its recommendations on all matters falling within its terms of reference. The texts of the Articles resulting from these recommendations will be submitted by the Coordination Committee directly to the Plenary Session.

GENERAL ASSEMBLY

The recommendations of this Commission in regard to the composition and main functions and responsibilities of the General Assembly are as follows:

The Assembly will be a body on which every member of the United Nations is represented and in which every member has one vote. A member which has fallen two years in arrears on its financial obligations to the Organization, however, will not be allowed to vote except by special decision of the Assembly. On important questions a two-thirds majority will be required, but otherwise decisions will be made by a majority vote.

The Assembly will have the right, upon recommendation of the Security Council, to admit new members, to suspend the rights and privileges of members against which preventive or enforcement action is taken by the Security Council, and to

expel members which persistently violate the principles contained in the Charter. It will have important functions in electing the non-permanent members of the Security Council and the Trusteeship Council, and the members of the Economic and Social Council and the judges of the International Court of Justice. On recommendation of the Security Council it will elect the Secretary General.

The Assembly will have authority in financial and budgetary matters and will consider and approve any financial and budgetary arrangements with specialized international agencies brought into relation with it. It will have the power to examine the administrative budgets of such agencies and to make recommendations concerning them.

The Assembly will meet in annual sessions and in special sessions at the request of the Security Council or of the majority of the member states.

Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter. It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly cannot make recommendations on any such dispute or situation. It is, however, laid down that the Secretary General shall, with the consent of the Security Council, notify the Assembly--or the members of the Organization if the Assembly is not in Session--immediately the Security Council ceases to deal with any matters. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the peaceful adjustment of any situation, regardless of origin, which the Assembly deems likely to impair the general welfare or friendly relations

among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

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 11, 12 and 14 is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference.

The General Assembly will be empowered to initiate studies and make recommendations to assist in the realization of human rights and fundamental freedoms and to promote the progressive development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

The General Assembly will have broad responsibilities for advancing the cause of international economic and social cooperation.

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

In the Chapter on International Economic and Social Cooperation, proposed by Commission II, the United Nations agree to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion. The member states of the United Nations pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the several fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as embracing international trade, finance, communications, and transport, including also the problems of reconstruction, raw materials and capital goods. The language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has also agreed to include in its records the statement that nothing contained in this Chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations.

In the articles which it recommends for insertion in the Charter, it is provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. Each member will have one vote, and decisions will be by simple majority.

This Council will be authorized to make recommendations for promoting respect for and observance of human rights and fundamental freedoms. A wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters. Within its competence it will carry out the recommendations of the Assembly in all these fields, make and initiate studies and reports, and coordinate the activities of specialized international agencies. These will be brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council subject to the approval of the General Assembly. The Council may arrange to obtain regular reports from the specialized agencies, to have representatives of these agencies participate without vote in its

deliberations and to have its own representatives participate in the deliberations of these agencies. The Council may make recommendations to the agencies themselves, to the General Assembly, or to the member states and it is authorized to obtain reports as to the steps taken to carry out these recommendations and to comment thereon to the Assembly.

The Economic and Social Council may call international conferences, prepare draft international conventions for submission to the General Assembly, and set up commissions in the fields of its responsibility.

Subject to the approval of the General Assembly, it will be authorized to perform services in all fields of its interest at the request of member states or of specialized agencies. It will be obligated to invite any members of the United Nations to participate without vote in its deliberations on any matter of particular concern to that member, and it will be authorized to make arrangements for consultation with non-governmental organizations in the field of its interests.

The Economic and Social Council may also furnish information to the Security Council and shall assist it if requested.

NON-SELF-GOVERNING TERRITORIES AND THE INTERNATIONAL SYSTEM OF TRUSTESHIP

Commission II recommends for insertion in the Charter: (1) a declaration of policy by members of the United Nations responsible for the administration of territories not fully self-governing, and (2) provisions for a system of international trusteeship under which certain categories of territories can be brought.

Policy for Non-Self-Governing Territories

The members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize that the interests of the peoples of these territories are paramount and accept as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of such territories within the system of international peace and security, and to ensure the political, economic, social and educational advancement of these peoples, with due respect for their culture; to develop self-government,

to take due account of their political aspirations, and to assist the progressive development of their free political institutions; to further international peace and security; to promote constructive measures to realize these purposes; and to transmit regularly to the Secretary-General, subject to certain limitations, information relating to the economic, social and educational conditions in these territories. They also agree to base their policies in these territories on the general principle of good neighborliness with due respect to the interests and well-being of other members of the world community.

International Trusteeship System

This section of the draft Charter lays down the principles of and provides the machinery for, a system of international trusteeship under which territories in the following categories may be placed by subsequent agreements: 1) territories now under mandate; 2) territories which may be detached from enemy states as a result of this war; and 3) territories voluntarily placed under the system by states responsible for their administration.

In the case of each territory brought under the system a Trusteeship Agreement negotiated between the powers directly concerned will contain the terms under which the territory will be administered and designate the administering authority which may be one or more states or the United Nations itself. In the case of territories now held under mandate by one of the United Nations the mandatory power will be a party to the agreement. These agreements may designate strategic areas within these territories.

The terms of the Trusteeship Agreements, and their alteration or amendment, will be approved by the United Nations.

All the functions of the United Nations related to strategic areas in Trust territories including the approval of the Trusteeship Agreements will be vested in the Security Council. The responsibilities of the United Nations in regard to all other aspects of the Trusteeship Agreements will be entrusted to the General Assembly.

The basic objectives of the Trusteeship system are to further international peace and security, to promote political, economic, social, and educational advancement of the inhabitants of the Trust territories and their development toward self-government or independence as may be appropriate, to encourage respect for human rights and fundamental

freedom for all, and with certain limitations to ensure equal treatment for all members of the United Nations and their nationals.

This part of the Charter will also provide for a Trusteeship Council to assist the General Assembly. It will be composed of specially qualified representatives designated one each by states administering trust territories, one each by the permanent members of the Security Council not administering trust territories, and one each by as many other states named by the General Assembly as will bring the total number of representatives to the point where it is equally divided between administering and non-administering states.

The General Assembly, and under its authority, the Trusteeship Council, will have the power to consider reports from the administering authorities, to provide for periodic visits to the territories, and to take other actions in conformity with the trusteeship agreements. The administering authorities will be obligated to make an annual report to the General Assembly on the basis of a questionnaire formulated by the Trusteeship Council.

A conservatory clause will guarantee that, except as may be agreed upon in individual Trusteeship Agreements nothing in this Chapter of the Charter shall be construed in or of itself to alter in any manner any rights whatsoever of any states or any peoples or the terms of existing international instruments to which member states may respectively be parties. This provision is not to be interpreted as giving grounds for delay or postponement in the negotiation and conclusion of Trusteeship Agreements. Commission II has also agreed that the rights which are safeguarded by this provision of the Charter include any rights set forth in paragraph 4 of Article 22 of the Covenant of the League of Nations.

FORMAL RECOMMENDATION TO THE PLENARY SESSION

Commission II proposes to the Plenary Session that the interpretations included in this report be approved and that the draft articles which give effect to the recommendations of the Commission be inserted in the Charter of the United Nations.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

(A)

that went over statement of
the Conference — and ^{confidentially} ~~secretly~~
~~secretly~~ ~~secretly~~ I can tell you
that she would ^{us} beat any of ~~us~~
in a race to
the top of
Tampabay —

2nd draft
Kidner and Gilchrist
June 24, 1945

(^{Remarks}Summary report of rapporteur to plenary session, June 25)

Commission II, under the presidency of Field Marshal Jan Christian Smuts, was charged by the Conference in Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations dealing with the General Assembly, the Economic and Social Council, and International Trusteeship.

The work of Commission II covered a wider range of subject matter than that of any of the other ~~three~~ ^{of the Conference} Commissions. Three of the six principal organs of the United Nations Organization will be established pursuant to the recommendations of Commission II: The General Assembly, the Economic and Social Council, and the Trusteeship Council, ~~all fell within~~ ^{the terms of reference of Commission II.}

The organ of widest jurisdiction among the three treated by Commission II is the General Assembly. The Structures and Procedures of the Assembly are the subject of recommendations of Committee 1 under the chairmanship of His

Excellency Hasan Saka, Foreign Minister of Turkey. The ^{ITS}

functions and powers of the General Assembly were treated

by Committee 2, ^{presided over by} under His Excellency Victor Andrade, Ambassador

^{of Bolivia} to the United States from Bolivia.

The General Assembly, upon which each member of the United Nations Organization will be represented and in which each member will have one vote, will be, to quote the ^{Senator} Honorable Arthur H. Vandenberg, U. S. Senator and member of the United States Delegation, "The town meeting of the world." ^{It} ~~The General Assembly~~ will be empowered to discuss any questions or matters falling within the scope of the Charter or relating to the powers and functions of any organ provided in the Charter. ~~It~~ It is the recommendation of Commission II that the meetings of the General Assembly, except in extraordinary cases, be open to the public and to the press of the world. Thus, in the clear light of public scrutiny ^{t "town"} The Town Meeting of the World may consider problems of universal import to the end that peace and security be preserved. (X)

The Economic and Social Council, which is the subject of a report by Committee 3 presided over by Sir A. Ramaswami Mudaliar, Supply Member of the Governor General's Executive Council of India, breaks new ground. Economic and social cooperation at the international level, hardly mentioned in the Covenant of the League of Nations, although within its powers the League made contributions in this field, is now thought to be of such importance that one of the principal organs of the Organization is established in the interest of its effective development. Thus, many situations, which if permitted to develop, might ultimately come to the agenda of the Security Council may by cooperation brought about in the ordinary ^{course} of the work of the Economic and Social Council be ameliorated, ^t Thus preserving an atmosphere conducive to the maintenance of peace and security. The Economic and Social Council may well be one of the principal instruments by which the United Nations can fulfill their pledge "by joint and several action in cooperation with the Organization" to achieve among other laudable purposes

set forth in Article 55 which may hereafter be called the International Bill of Rights universal respect and observance of ~~xxxx~~ human rights and fundamental freedoms.

Committee 4 under the chairmanship of the ^{Right} Honorable Peter Fraser, Prime Minister and Minister of External Affairs of New Zealand, recommended a system of international trusteeship for dependent peoples, a subject which had not even been mentioned in the Dumbarton Oaks Proposals.

Territories in three different categories may be placed under this system by subsequent individual agreements and strategic areas therein maybe designated and treated separately.

The General Assembly and the Trusteeship Council as well as the administering states will be charged with special responsibilities for the welfare of the inhabitants of the trust territories. The Charter goes further. For the first time in history, including in a world-wide treaty a declaration setting forth a standard of conduct for the administration of territories inhabited by peoples who have not yet attained a full measure of self-government. This standard of conduct

based upon the principle that the interests of the inhabitants of non- self-governing territories are paramount and that the United Nations accept as a sacred trust the obligation to ensure, among other things, ^{their} advancement politically, economically, socially and educationally; their just treatment and their protection against abuses and to develop self-government to take account of their political aspirations and to assist them in the progressive development of their free political institutions.

Except in the case of situations which are being dealt with by the Security Council in discharge of its Special responsibilities for taking action to preserve the peace, the General Assembly will have authority not only to discuss those great problems, but to make recommendations to governments. This feature of the Charter ensures that the two main bodies of the Organization, the General Assembly and the Security Council, will not have overlapping functions that might lead to confusion and overlapping responsibilities. But where each has been to discharge its major role to play in the new Organization.

~~The Security Council~~

concerning them to the Security Council, or to the member Governments, or to both.

Insert 4
not
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level was hardly mentioned in the Covenant of the League of Nations,, although within its powers the League nevertheless ^{succeeded in making} made valuable contributions in this field; in the Charter of the ~~United Nations~~ ^{United Nations} the subject has been thought to be of such importance that two chapters are devoted to it, and the Economic and Social Council is established as one of the principal organs of the United Nations in the interest of promoting effective international cooperation in the economic, social and related fields. It should be noted, furthermore, that the Organization has set itself the task, not only of facilitating the solution of international problems in the economic, social and related fields, but its statement of purposes goes beyond that by enlisting the cooperation of the members of the Organization in seeking the achievement of positive goals, including higher standards of living, full employment, conditions of economic and social progress and development, and the universal respect for, and observance of human rights and fundamental freedoms. In promoting effective cooperation for these purposes, the Economic and Social Council may, under the supervision of the General Assembly, indeed be expected to become in the course of time the (one of the) principal instruments for the organization of peace.

2nd draft
Kidner and Gilchrist
June 24, 1945

Remarks
(Summary report of rapporteur to plenary session.)

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The General Assembly, upon which each memberx of the United Nations Organization will be represented and in which each member will have one vote, will be to quote the Honorable Arthur H. Vandenberg, U. S. Senator and member of the United States Delegation, "The town meeting of the world." The General Assembly will be empowered to discuss any questions or matters falling within the scope of the Charter or relating to the powers and functions of any organ provided in the Charter. It is the recommendation of Commission II that the meetings of the General Assembly, except in extraordinary cases, be open to the public and to the press of the world. Thus, in the clear light of public scrutiny The Town Meeting of the World may consider problems of universal import to the end that peace and security be preserved.

The Economic and Social Council, which is the subject of a report by Committee 3 presided over by Sir A. Ramaswami Mudaliar, Supply Member of the Governor General's Executive Council of India, breaks new ground. Economic and social cooperation at the international level, hardly mentioned in the Covenant of the League of Nations, although within its powers the League made contributions in this field, is now thought to be of such importance that one of the principal organs of the Organization is established in the interest of its effective development. Thus, many situations, which if permitted to develop, might ultimately come to the agenda of the Security Council may by cooperation brought about in the ordinary ^{course} of the work of the Economic and Social Council be ameliorated. Thus preserving an atmosphere conducive to the maintenance of peace and security. The Economic and Social Council may well be one of the principal instruments by which the United Nations can fulfill their pledge "by joint and several action in cooperation with the Organization" to achieve among other laudable purposes

set forth in Article 55 which may hereafter be called the International Bill of Rights universal respect and observance of ~~human~~ human rights and fundamental freedoms.

Committee 4 under the chairmanship of the ^{Right} Honorable Peter Fraser, Prime Minister and Minister of External Affairs of New Zealand, recommended a system of international trusteeship for dependent peoples, a subject which had not even been mentioned in the Dumbarton Oaks Proposals.

Territories in three different categories may be placed under this system by subsequent individual agreements and strategic areas therein maybe designated and treated separately.

The General Assembly and the Trusteeship Council as well as the administering states will be charged with special responsibilities for the welfare of the inhabitants of the trust territories. The Charter goes further. For the first time in history, including in a world-wide treaty a declaration setting forth a standard of conduct for the administration of territories inhabited by peoples who have not yet attained a full measure of self-government. This standard of conduct

based upon the principle that the interests of the inhabitants of non- self-governing territories are paramount and that the United Nations accept as a sacred trust the obligation to ensure, among other things, ^{their} advancement politically, economically, socially and educationally; their just treatment and their protection against abuses and to develop self-government to take account of their political aspirations and to assist them in the progressive development of their free political institutions.

REPORT OF THE RAPPORTEUR OF COMMISSION II
TO THE PLENARY SESSION

Commission II was charged by the Conference at its Fifth Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations relating primarily to the General Assembly, the Economic and Social Council, and International Trusteeship.

The three Technical Committees of this Commission which were concerned with the General Assembly and the Economic and Social Council took as the basis of their discussions the provisions of Chapters V and IX of the Dumbarton Oaks Proposals and the comments and suggestions relevant thereto submitted by the Governments of the participating nations. Its fourth Technical Committee, on Trusteeship, took as the basis of its discussions a working paper prepared on the general foundation of proposals submitted by the Delegations of Australia, China, France, the Soviet Union, the United Kingdom, and the United States.

Commission II, in the course of four meetings, received and considered reports submitted to it by the Rapporteurs of its four Technical Committees, and now submits to the Plenary Session its recommendations on all matters falling within its terms of reference. The texts of the Articles resulting from these recommendations will be submitted by the Coordination Committee directly to the Plenary Session.

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The Assembly will have the right, upon recommendation of the Security Council, to admit new members, to suspend the rights and privileges of members against which preventive or enforcement action is taken by the Security Council, and to expel members which persistently violate the principles contained in the Charter. It will have important functions in electing the non-permanent members of the Security Council and the Trusteeship Council, and the members of the Economic and Social Council and the judges of the International Court of Justice. On recommendation of the Security Council it will elect the Secretary General.

The Assembly will have authority in financial and budgetary matters and will be able to enter into financial agreement with specialized international agencies. It will have the power to examine the administrative budgets of such agencies as have been brought into relation with it, and to make recommendations concerning them.

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Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter. It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly can not make recommendations on any such dispute or situation. It is, however, laid down that the Secretary-General shall, with the consent of the Security Council, notify the Assembly - or the members of the Organization if the Assembly is not in Session - immediately the Security Council ceases to deal with any matters. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the

peaceful adjustment of any situation, regardless of origin, which the Assembly deems likely to impair the general welfare or friendly relations among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

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 11, 12 and 14 is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference.

The General Assembly is empowered to initiate studies and make recommendations to assist in the realization of human rights and basic freedoms and to promote the progressive development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

The General Assembly also has broad responsibilities for advancing the cause of international social and economic cooperation.

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

In the Chapter on International Economic and Social Cooperation, proposed by Commission II, a duty is laid upon the United Nations to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion.

The member states of the United Nations pledge themselves to take joint and separate action in cooperating with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the several fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II has given special care to the choice of each of the terms employed in the enumeration of purposes in this Chapter. It intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as including, for instance, international trade, finance, communications, and transport; and the vast problems of reconstruction. It has also agreed that the international problems of raw materials and capital goods shall be considered by the Economic and Social Council, and that the language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has also agreed to include in its records the statement that nothing contained in this Chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations.

In the articles which it recommends for insertion in the Charter, it is provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. Each member will have one vote, and decisions will be by simple majority.

This Council is authorized to make on its own initiative recommendations for promoting respect for human rights and freedoms and their protection, and a wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters.

It carries out the recommendations of the Assembly in all these fields, makes and initiates studies and reports, and coordinates the activities of specialized international agencies. These are brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council subject to the approval of the General Assembly. The Council may arrange to have representatives of these agencies participate without vote in its deliberations and may also arrange to have its own representatives participate in the deliberations of these agencies. The Council may make recommendations to the agencies themselves, to the General Assembly, or to the member states and it is authorized to obtain reports as to the steps taken to carry out these recommendations and to comment thereon to the Assembly. It also arranges to receive regular reports from the specialized agencies.

The Economic and Social Council may call international conferences, prepare draft international conventions for submission to the General Assembly, and set up commissions in the fields of its responsibility.

Subject to the approval of the General Assembly, it is authorized to perform services in all fields of its interest at the request of the member states or of the specialized agencies. It is obligated to invite any members of the United Nations to participate without vote in its deliberations on any matter of particular concern to that member, and it is authorized to consult with non-governmental organizations in the field of its interests.

The Economic and Social Council may also furnish information to the Security Council and shall assist it if requested.

NON-SELF GOVERNING TERRITORIES AND THE INTERNATIONAL SYSTEM OF TRUSTEESHIP

Commission II recommends for insertion in the Charter: (1) a declaration of policy by members of the United Nations responsible for the administration of territories not fully self-governing, and (2) provisions for a system of international trusteeship under which certain categories of territories can be brought.

Policy for Non-Self-Governing Territories

The members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize

that the interests of the peoples of these territories are paramount and accept as a sacred trust of civilization the obligation to promote to the utmost the well-being of the inhabitants of such territories within the system of international peace and security, and to ensure the political, economic, social and educational advancement of these peoples, to develop self-government and to take due account of their political aspirations, and to assist the progressive development of their free political institutions, to further international peace and security; to promote constructive measures to realize these purposes. They also agree to base their policies in these territories on the general principle of good neighborliness with due respect to the interests and well-being of other members of the world community and to transmit regularly to the Secretary General information relating to the economic, social and educational conditions in these territories.

International Trusteeship System

This section of the draft Charter lays down the principles of and provides the machinery for, a system of territorial trusteeship under which certain kinds of territories may be placed by subsequent agreements. The territories to which this system applies are: 1) territories now under mandate; 2) territories which may be detached from enemy states as a result of this war; and 3) territories voluntarily placed under the system by states responsible for their administration.

In each case a Trusteeship Agreement must be negotiated between the powers directly concerned which shall contain the terms under which the territory will be administered and designate the administering authority which may be one or more states or the United Nations itself. In the case of territories now held under mandate by one of the United Nations the mandatory power must be a party to the agreement. These agreements may designate strategic areas within these territories.

The terms of the Trusteeship Agreements, and their alteration or amendment, must be approved by the United Nations.

All the functions of the United Nations related to strategic areas in Trust territories including the approval of the Trusteeship Agreements are vested in the Security Council. The responsibilities of the United Nations in regard to all other aspects of the Trusteeship Agreements are entrusted to the General Assembly.

The basic objectives of the Trusteeship system are to further international peace and security, to promote political, economic, social, and educational advancement, of the Trust

territories and their inhabitants and their development toward self-government or independence as may be appropriate, to encourage respect for human rights and fundamental freedoms for all, and with certain limitations to ensure equal treatment for all members of the United Nations and their nationals.

This part of the Charter also provides for a Trusteeship Council to assist the General Assembly, to be composed of specially qualified representatives designated one each by states administering trust territories, one each by the permanent members of the Security Council not administering trust territories, and one each by as many other states named by the General Assembly as will bring the total number of representatives to the point where it is equally divided between administering and non-administering states.

The General Assembly, and under its authority, the Trusteeship Council, have the power to consider reports from the administering states, to provide for periodic visits to the territories, and to take other actions in conformity with the trusteeship agreements. The administering authorities are obligated to make an annual report to the General Assembly on the basis of a questionnaire formulated by the Trusteeship Council.

A conservatory clause guarantees that, except as may be agreed upon in individual Trusteeship Agreements nothing in this Chapter of the Charter shall be construed in or of itself to alter in any manner any rights whatsoever of any states or any peoples or the terms of existing international instruments to which member states may respectively be parties. This provision is not to be interpreted as giving grounds for delay or postponement in the negotiation and conclusion of Trusteeship Agreements. Commission II has also agreed that the rights which are safeguarded by this provision of the Charter include any rights set forth in paragraph 4 of Article 22 of the Covenant of the League of Nations. It submits this interpretation for the approval of the Plenary Session and inclusion in the formal record of the Conference.

FORMAL RECOMMENDATION TO THE PLENARY SESSION

Commission II proposes to the Plenary Session that the interpretations included in this report be approved and that the draft articles which give effect to the recommendations of the Commission be inserted in the Charter of the United Nations.

June 24, 1945

Frank -

Since dictating an earlier note to you, Eugene Chase has come in with his revisions and some of them are of considerable importance. He is therefore going over all of these French changes with one of the top French translators. He will leave the French text on your desk or give it to you if you are here. Will you then see the French and the English through the mill.

It has now been decided that the Rapporteur will not read their reports in the Plenary tomorrow morning but instead will make a short statement or remarks not over one page on the significance of the work of the Commission. I have telephoned this information to the Panama Delegation for Dr. Alfaro who has not yet arrived from Los Angeles telling them that we would prepare remarks for Dr. Alfaro which are to be in his hands during the latter part of the evening or in any case early tomorrow morning. This seems to be satisfactory to them. Would you like to try your hand at such a statement while you are here this afternoon? I will come in during the early part of the evening to go over this and to take up any further matters for which you may need me.

HG

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1rst draft
Frank Kidner
June 24, 1945

(Summary report of rapporteur to plenary session.)

Commission II, under the presidency of Field Marshal Jan Christian Smuts, was charged by the Conference in Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations dealing with the General Assembly, the Economic and Social Council and International Trusteeship.

The Commission carried on its work through four Technical Committees. Committee I, under the chairmanship of ~~Mr~~
~~Excellency~~ The Honorable Hasan Saka, Minister for Foreign Affairs of Turkey, dealt with the Structure and Procedures of the General Assembly; Committee ² ~~II~~, under the chairmanship of The Honorable Victor Andrade, Ambassador to the United States from Bolivia, considered the functions and powers of the Assembly; Committee ³ ~~III~~, under the chairmanship of Sir A. Ramaswami Mudaliar, Supply Member of the Governor General's Executive Council of India, dealt with Economic and Social Cooperation, and Committee 4, presided over by The Honorable Peter Fraser, Prime Minister and Minister of External Affairs of New Zealand, dealt with the question of International Trusteeship.

The first three of these committees took as their terms of reference the relevant parts of the Dumbarton Oaks Proposals together with the comments and suggestions of the participating nations. The fourth committee based its discussion upon a working paper prepared upon the proposals submitted by the Delegations of Australia, China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States.

Each of the Committees reported the results of its labors in its Rapporteurs' Report and each report was considered and approved by the Commission. The Reports of the Rapporteurs of the four Technical Committees constitute integral parts of the report of the Rapporteur of Commission II which has been circulated to you and which I have the honor hereby to submit to the Plenary Session for its consideration and approval.

June 24, 1945

Frank -

Attached hereto are the English and French copies of the Rapporteur's Report revised. The revisions in French are subject to confirmation or improvement by one of the French translators but I think the points are clear.

Eugene Chase is making a number of informal improvements but I believe none of them are of sufficient importance to warrant changes at the present time i.e., they are small points to be taken into consideration later when the conference records are finally edited.

Would you follow this through in whatever way seems most appropriate as regards the revision of the document, advising the Rapporteur and Mr. Fourie of the South African Office for Field Marshal Smuts that certain drafting changes have had to be made and of the form in which the document will be revised i.e., by a corrigendum or by the rerunning of certain pages. If the Rapporteur or the South Africans are interested, please give them the corrections or in any case let the Rapporteur tonight have an exact copy of what he will have to read tomorrow.

I will call in sometime in the early part of the evening to check up on the situation.

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THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

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report of the Sub-committee of Organization in which has been
submitted to the Commission a draft of the
proposed constitution of the organization. The members of the Sub-committee of the
Organization, report and each report has been considered and
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Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter. It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly can not make recommendations on any such dispute or situation. It is, however, laid down that the Secretary-General shall, with the consent of the Security Council, notify the Assembly - or the members of the Organization if the Assembly is not in Session - immediately the Security Council ceases to deal with any matters. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the

peaceful adjustment of any situation, regardless of origin, which the Assembly deems likely to impair the general welfare or friendly relations among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

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 11, 12 and 14 is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference.

The General Assembly is empowered to initiate studies and make recommendations to assist in the realization of human rights and basic freedoms and to promote the progressive development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

The General Assembly also has broad responsibilities for advancing the cause of international social and economic cooperation.

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

In the Chapter on International Economic and Social Cooperation, proposed by Commission II, a duty is laid upon the United Nations to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion.

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The member states of the United Nations pledge themselves to take joint and separate action in cooperating with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the several fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II has given special care to the choice of each of the terms employed in the enumeration of purposes in this Chapter. It intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as including, for instance, international trade, finance, communications, and transport, and the vast problems of reconstruction. It has also agreed that the international problems of raw materials and capital goods shall be considered by the Economic and Social Council, and that the language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has also agreed to include in its records the statement that nothing contained in this Chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations.

In the articles which it recommends for insertion in the Charter, it is provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. Each member will have one vote, and decisions will be by simple majority.

This Council is authorized to make ~~(on its own initiative)~~ recommendations for promoting respect for human rights and ^{fundamental} freedoms ~~(and their protection)~~, and a wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters.

will be
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will be
within its competence it will carry
It carries out the recommendations of the Assembly in all these fields, ~~makes and initiates studies and reports,~~ and coordinates the activities of specialized international agencies. These ~~are~~ brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council subject to the approval of the General Assembly. The Council may arrange to have representatives of these agencies participate without vote in its deliberations and may also arrange to have its own representatives participate in the deliberations of these agencies. The Council may make recommendations to the agencies themselves, to the General Assembly, or to the member states and it is authorized to obtain reports as to the steps taken to carry out these recommendations and to comment thereon to the Assembly. ~~It also arranges to receive regular reports from the specialized agencies.~~ *it will arrange to obtain*

The Economic and Social Council may call international conferences, prepare draft international conventions for submission to the General Assembly, and set up commissions in the fields of its responsibility.

will be
Subject to the approval of the General Assembly, it is authorized to perform services in all fields of its interest at the request of the member states or of the specialized agencies. *will be* It is obligated to invite any members of the United Nations to participate without vote in its deliberations on any matter of particular concern to that member, and it is authorized to consult with non-governmental organizations in the field of its interests.

will be
The Economic and Social Council may also furnish information to the Security Council and shall assist it if requested.

NON-SELF-GOVERNING TERRITORIES AND THE INTERNATIONAL SYSTEM OF TRUSTESHIP

Commission II recommends for insertion in the Charter: (1) a declaration of policy by members of the United Nations responsible for the administration of territories not fully self-governing, and (2) provisions for a system of international trusteeship under which certain categories of territories can be brought.

Policy for Non-Self-Governing Territories

The members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize

that the interests of the peoples of these territories are paramount and accept as a sacred trust of civilization the obligation to promote to the utmost the well-being of the inhabitants of such territories within the system of international peace and security, and to ensure the political, economic, social and educational advancement of these peoples, to develop self-government and to take due account of their political aspirations, and to assist the progressive development of their free political institutions, to further international peace and security; to promote constructive measures to realize these purposes. They also agree to base their policies in these territories on the general principle of good neighborliness with due respect to the interests and well-being of other members of the world community and to transmit regularly to the Secretary General information relating to the economic, social and educational conditions in these territories.

International Trusteeship System

This section of the draft Charter lays down the principles of and provides the machinery for, a system of territorial trusteeship under which certain kinds of territories may be placed by subsequent agreements. The territories to which this system applies are: 1) territories now under mandate; 2) territories which may be detached from enemy states as a result of this war; and 3) territories voluntarily placed under the system by states responsible for their administration.

In each case a Trusteeship Agreement must be negotiated between the powers directly concerned which shall contain the terms under which the territory will be administered and designate the administering authority which may be one or more states or the United Nations itself. In the case of territories now held under mandate by one of the United Nations the mandatory power must be a party to the agreement. These agreements may designate strategic areas within these territories.

The terms of the Trusteeship Agreements, and their alteration or amendment, must be approved by the United Nations.

All the functions of the United Nations related to strategic areas in Trust territories including the approval of the Trusteeship Agreements are vested in the Security Council. The responsibilities of the United Nations in regard to all other aspects of the Trusteeship Agreements are entrusted to the General Assembly.

The basic objectives of the Trusteeship system are to further international peace and security, to promote political, economic, social, and educational advancement, of the Trust

territories and their inhabitants and their development toward self-government or independence as may be appropriate, to encourage respect for human rights and fundamental freedoms for all, and with certain limitations to ensure equal treatment for all members of the United Nations and their nationals.

This part of the Charter also provides for a Trusteeship Council to assist the General Assembly, to be composed of specially qualified representatives designated one each by states administering trust territories, one each by the permanent members of the Security Council not administering trust territories, and one each by as many other states named by the General Assembly as will bring the total number of representatives to the point where it is equally divided between administering and non-administering states.

The General Assembly, and under its authority, the Trusteeship Council, have the power to consider reports from the administering states, to provide for periodic visits to the territories, and to take other actions in conformity with the trusteeship agreements. The administering authorities are obligated to make an annual report to the General Assembly on the basis of a questionnaire formulated by the Trusteeship Council.

A conservatory clause guarantees that, except as may be agreed upon in individual Trusteeship Agreements nothing in this Chapter of the Charter shall be construed in or of itself to alter in any manner any rights whatsoever of any states or any peoples or the terms of existing international instruments to which member states may respectively be parties. This provision is not to be interpreted as giving grounds for delay or postponement in the negotiation and conclusion of Trusteeship Agreements. Commission II has also agreed that the rights which are safeguarded by this provision of the Charter include any rights set forth in paragraph 4 of Article 22 of the Covenant of the League of Nations. It submits this interpretation for the approval of the Plenary Session and inclusion in the formal record of the Conference.

FORMAL RECOMMENDATION TO THE PLENARY SESSION

Commission II proposes to the Plenary Session that the interpretations included in this report be approved and that the draft articles which give effect to the recommendations of the Commission be inserted in the Charter of the United Nations.

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X resulting from these
submitted by the Coordination
recommendations will be ~~sent~~
committee ^{directly} to the Plenary Session
~~submitted~~

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to be discussed

DRAFT SUGGESTIONS FOR THE REPORT OF THE RAPPORTEUR
OF COMMISSION II TO THE PLENARY SESSION

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Commission II was charged by the Conference at its Fifth Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations relating primarily to the General Assembly, the Economic and Social Council, and International Trusteeship.

The three Technical Committees of this Commission which were concerned with the General Assembly and the Economic and Social Council took as the basis of their discussions the provisions of Chapters V and IX of the Dumbarton Oaks Proposals and the comments and suggestions relevant thereto submitted by the Governments of the participating nations. Its fourth Technical Committee, on Trusteeship, took as the basis of its discussions a working paper prepared on the general foundation of proposals submitted by the Delegations of Australia, China, France, the Soviet Union, the United Kingdom, and the United States.

in the course of four meetings

Commission II has received and considered reports submitted to it by the Rapporteurs of its four Technical Committees, and now submits to the Plenary Session ~~Articles for insertion in the Charter embodying~~ its recommendations on all matters falling within its terms of reference. The texts of these Articles are given in an Annex which is attached to and made a part of this report. (Alternatively-- The numbers of these Articles as they appear in the draft Charter which is now before this Plenary Session are given in a Annex which is attached to and made a part of this report.)

This report briefly summarizes the main content of this part of the Charter and contains, in addition, certain interpretations and declarations approved by Commission II for submission to the Plenary Session.

The recommendations of this Commission deal with the composition, functions and responsibilities of the General Assembly, the Economic and Social Council and the Trusteeship Council; the relationships which are to subsist between these organs of the United Nations and the other organs of the

United Nations; and the relationships to be established between them and the member states and specialized agencies having international responsibilities in certain fields. They also amplify in certain respects the general purpose of the United Nations as stated in Chapters I and II of the draft Charter and impose certain duties on the member states with respect to the fulfilment of these purposes.

GENERAL ASSEMBLY

The recommendation is in regard to
~~If the articles recommended by this Commission are approved by the Conference, the composition and main functions and responsibilities of the General Assembly will be as follows:~~

The Assembly will be a body on which every member of the United Nations is represented and in which every member has one vote. A member which has fallen two years in arrears on its financial obligations to the Organization, however, will not be allowed to vote except by special decision of the Assembly. On ~~certain~~ important questions a two-thirds majority will be required, but otherwise decisions will be made by a majority vote.

the Charter
stat
The Assembly will have the right, upon recommendation of the Security Council, to admit new members, to suspend the rights and privileges of members against which preventive or enforcement action is taken by the Security Council, and to expel members which persistently violate the principles of the United Nations (check with final text). It will ~~have~~ *have* *elective members* important functions in electing the non-permanent members of the Security Council and the Trusteeship Council, and the members of the Economic and Social Council and the judges of the International Court of Justice. On recommendation of the Security Council it will elect the Secretary General.

The Assembly will have adequate authority in financial and budgetary matters and will be able to enter into financial agreement with specialized international agencies. It will have the power to examine the administrative budgets of such agencies as have been brought into relation with it, and to make recommendations concerning them.

The Assembly will meet in annual sessions and in special sessions at the request of the Security Council or of the majority of the member states. Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss ^{any questions or} ~~any~~ matters ^{within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter.} It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly can not make recommendations ~~to it~~. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the peaceful adjustment of any situation, regardless of origin, which the Assembly thinks ^{deems} is likely to impair the general welfare or friendly relations among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

Commission II calls particular attention to the word "consider" as used in the Charter in connection with reports of the Security Council. 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

^{Land other organs}

Is "to it" clear? Confusing, but perhaps clearer, to say "on any such dispute or situation" I think we should also put in here: It is, however, laid down that the Secretary-General shall, with the consent of the Security Council, notify the Assembly - or the members - the Organization if the Ass. is not in session - immediately the Sec. Council ceases to deal with any matter."

11/12 and 14

make recommendations as defined in Articles ~~11~~ and ~~13~~ is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference.

empowered to initiate
The General Assembly is ~~given the responsibility for~~ initiating studies and making recommendations to assist in the realization of human rights and basic freedoms and to promote the development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

also
Finally the General Assembly has broad responsibilities for advancing the cause of international, social and economic cooperation.

Economic and Social
**INTERNATIONAL SOCIAL AND ECONOMIC
COOPERATION**

Commission II recommends to the Plenary Session that the purposes of the United Nations in this broad area and the obligations of the member states, and the relationships to be established between the Organization and specialized agencies in these fields be brought together in a separate chapter (~~Chapter IX of the Charter as proposed~~). In this Chapter a duty is laid upon the United Nations to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion. The member states of the United Nations pledge themselves to take joint and separate action in cooperating with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II has given special care to the choice of each word of the terms employed in the enumeration of purposes in this Chapter. It intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as including, for instance, international trade, finance, communications, and transport, and the vast problems of reconstruction. It has also agreed that the international problems of raw materials and capital goods shall be considered by the Economic and Social Council, and that the language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has ^{also} ~~therefore~~ agreed to include in its records the statement that nothing contained in this chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

It now recommends that these interpretations and declarations be approved by the Plenary Session and included in the final records of the Conference.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations. In the articles which it recommends for insertion in the Charter, ~~it is~~ ^{it is} provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. *Each member will have one vote, and decisions will be by simple majority.*

Subject to the approval of the General Assembly
This Council is authorized to make on its own initiative recommendations for promoting respect for human rights and freedoms and their protection, and a wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters. It carries out the recommendations of the Assembly in all these fields, makes and initiates studies and reports, and coordinates the activities of specialized international agencies. These are brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council. The Council may arrange to have representatives of these agencies participate without vote in its deliberations and its own representatives may participate in the deliberations of these agencies. The Council may make recommendations to the agencies themselves, to the General Assembly, or to the member states and it is authorized to obtain reports as to the steps taken to carry out these recommendations and to comment thereon to the Assembly. It

may also arrange to have -5-

(1) a declaration ^{of policy} by members of the United Nations responsible for the administration of territories not ~~fully~~ self-governing, ~~of which~~

and (2) provisions for a system of international trusteeship under which certain categories of territories can be brought

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

also arranges to receive regular reports from the specialized agencies.

The Economic and Social Council may call international conferences, prepare draft international conventions for submission to the General Assembly, and set up commissions in the fields of its responsibility.

Subject to the approval of the General Assembly, it is authorized to perform services in all fields of its interest at the request of the member states or of the specialized agencies. It is obligated to invite any members of the United Nations to participate without vote in its deliberations on any matter of particular concern to that member, and it is authorized to consult with non-governmental organizations in the field of its interests.

Finally, ^{also} The Economic and Social Council may furnish information to the Security Council and shall assist it if requested.

NON-SELF GOVERNING TERRITORIES AND TRUSTEESHIP

Commission II recommends for insertion in the charter: (1) ^{THE INTERNATIONAL SYSTEM/OIC.} a declaration by the members of the United Nations, and (2) ³⁹ provisions for a system of international trusteeship, with respect ^{(see intro) (Y)} to their policy for non-self-governing territories.

Policy for Non-Self-Governing Territories

The members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize that the interests of the peoples of these territories are paramount and accept as a sacred trust of civilization the obligation to promote to the utmost the well-being of the inhabitants of such territories. ~~They undertake to ensure the political, economic, social and educational advancement of these peoples, to develop self-government and to take due account of their political aspirations,~~ to further international peace and security; to promote constructive measures to realize these purposes. They also agree to base their policies in these territories on the general principle of good neighborliness with due respect to the interests and well-being of other members of the world community and to transmit regularly to the Secretary General information relating to the economic, social and educational conditions in these territories.

International Trusteeship System

This section of the draft charter lays down the principles

^{within the system of international peace and security, and}

of and provides the machinery for, a system of territorial trusteeship under which certain kinds of territories may be placed by subsequent agreements. The territories to which this system applies are: 1) territories now under mandate; 2) territories which may be detached from enemy states as a result of this war; and 3) territories voluntarily placed under the system by states responsible for their administration.

agreements
In each case a Trusteeship Arrangement must be negotiated between the powers directly concerned which shall contain the terms under which the territory will be administered and designate the administering authority which may be one or more states or the United Nations itself. In the case of territories now held under mandate by one of the United Nations the mandatory power must be a party to the arrangement. *agreement*
These arrangements may designate strategic areas between *within* the territories.

these The terms of the Trusteeship Arrangements, *agreements, and* their alteration or amendment, must be approved by the United Nations.

agreements All the functions of the United Nations related to strategic areas in Trust territories including the approval of the Trusteeship Arrangements are vested in the Security Council. The responsibilities of the United Nations in regard to all other aspects of the Trusteeship Arrangements are entrusted to the General Assembly. *agreements*

or The basic objectives of the Trusteeship system are to further international peace and security, to promote political, economic, social, and educational advancement, of the Trust territories and their inhabitants and their development toward self-government and independence, to encourage respect for human rights and fundamental freedoms for all, and to ensure equal treatment for all members of the United Nations and their nationals. *as may be appropriate*

under the Trusteeship Council with certain limitations
This part of the Charter also provides for a Trusteeship Council to assist the General Assembly, to be composed of specially qualified representatives designated one each by states administering trust territories, one each by the permanent members of the Security Council not administering trust territories, and one each by a sufficient number of other states named by the General Assembly to bring the total number of representatives to the point where it is equally divided between administering and non-administering states. *as many as will*

at the General Assembly, and under its authority the Trusteeship Council, has
The Trusteeship Council, under authority of the General Assembly, has the power to consider reports from the administering states, to make periodic visits to the territories,

and to take other actions in conformity with the trusteeship arrangements. The administering authorities are obligated to make an annual report to the General Assembly on the basis of a questionnaire formulated by the Trusteeship Council.

A conservatory clause guarantees
~~Commission II recommends for insertion in the Charter a statement to the effect that, except as may be agreed upon in individual Trusteeship Arrangements nothing in this Chapter of the Charter shall be construed in or of itself to alter in any manner any rights whatsoever of any states or any peoples or the terms of existing international instruments to which member states may respectively be parties.~~ *Agreements*

Agreements
This provision is not to be interpreted as giving grounds for delay or postponement in the negotiation and conclusion of Trusteeship Arrangements.

negotiation
Commission II has also agreed that the rights which are safeguarded by this provision of the Charter include any rights set forth in paragraph 4 of Article 22 of the Covenant of the League of Nations. It submits this ~~declaration~~ *inter-* for the approval of the Plenary Session and inclusion in the formal record of the Conference.

FORMAL RECOMMENDATION TO THE PLENARY SESSION

In approving articles which give effect to the substantive recommendations of its Technical Committees as summarized above Commission II has discharged its responsibilities and it recommends that these articles be inserted in the Charter of the United Nations.

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REPORT OF THE RAPPOREUR OF COMMISSION II
TO THE PLENARY SESSION

Rapporteur

June 23, 1945.

Commission II was charged by the Conference at its Fifth Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations relating primarily to the General Assembly, the Economic and Social Council, and International Trusteeship.

The three Technical Committees of this Commission which were concerned with the General Assembly and the Economic and Social Council took as the basis of their discussions the provisions of Chapters V and IX of the Dumbarton Oaks Proposals and the comments and suggestions relevant thereto submitted by the Governments of the participating nations. Its fourth Technical Committee, on Trusteeship, took as the basis of its discussions a working paper prepared on the general foundation of proposals submitted by the Delegations of Australia, China, France, the Soviet Union, the United Kingdom, and the United States.

Commission II, in the course of four meetings, received, considered and approved reports submitted to it by the Rapporteurs of its four Technical Committees which constitute integral parts of this report.

The principal recommendations of this Commission in regard to the matters within its competence are as follows:

GENERAL ASSEMBLY

The Assembly will be a body on which every member of the United Nations is represented and in which every member has one vote. A member which has fallen two years in arrears on its financial obligations to the Organization, however, will not be allowed to vote except by special decision of the Assembly. On important questions a two-thirds majority will be required, but otherwise decisions will be made by a majority vote.

The Assembly will have the right, upon recommendation of the Security Council, to admit new members, to suspend the rights and privileges of members against which preventive or enforcement action is taken by the Security Council, and to

expel members which persistently violate the principles contained in the Charter. It will have important functions in electing ~~xxxxxx xxxxxxxx xxxxxx~~ members of the Security Council and the Trusteeship Council, and the members of the Economic and Social Council and the judges of the International Court of Justice. On recommendation of the Security Council it will elect the Secretary General.

The Assembly will have authority in financial and budgetary matters and will consider and approve any financial and budgetary arrangements with specialized international agencies brought into relation with it. It will have the power to examine the administrative budgets of such agencies and to make recommendations concerning them.

The Assembly will meet in annual sessions and in special sessions at the request of the Security Council or of a majority of the member states.

Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter. It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly cannot make recommendations on any such dispute or situation. It is, however, laid down that the Secretary General shall, with the consent of the Security Council, notify the Assembly-- or the members of the Organization if the Assembly is not in Session--immediately the Security Council ceases to deal with any such matters. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the peaceful adjustment of any situation, regardless of origin, which the Assembly deems likely to impair the general welfare or friendly relations

among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

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 11,¹² 12x and 14 is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference.

The General Assembly will be empowered to initiate studies and make recommendations to assist in the realization of human rights and fundamental freedoms and to promote the progressive development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

The General Assembly will have broad responsibilities for advancing the cause of international economic and social cooperation.

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

In the Chapter on International Economic and Social Cooperation, proposed by Commission II, the United Nations agree to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion. The member states of the United Nations pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the several fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as embracing international trade, finance, communications, and transport, including also the problems of reconstruction, raw materials and capital goods. The language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has also agreed to include in its records the statement that nothing contained in this Chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations.

In the articles which it recommends for insertion in the Charter, it is provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. Each member will have one vote, and decisions will be by simple majority.

This Council will be authorized to make recommendations for promoting respect for and observance of human rights and fundamental freedoms. A wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters. Within its competence it will carry out the recommendations of the Assembly in all these fields, make and initiate studies and reports, and coordinate the activities of specialized international agencies. These will be brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council subject to the approval of the General Assembly. The Council may arrange to obtain regular reports from the specialized agencies, to have representatives of these agencies participate without vote in its

deliberations and to have its own representatives participate in the deliberations of these agencies. The Council may make recommendations to the agencies themselves, to the General Assembly, or to the member states and it is authorized to obtain reports as to the steps taken to carry out its own recommendations and those of the Assembly and to comment thereon to the Assembly.

The Economic and Social Council may within the fields of its responsibility set up commissions, call international conferences, and prepare draft international conventions for submission to the General Assembly.

Subject to the approval of the General Assembly, it will be authorized to perform services in all fields of its interest at the request of member states or of specialized agencies. It will be obligated to invite any members of the United Nations to participate without vote in its deliberations on any matter of particular concern to that member, and it will be authorized to make arrangements for consultation with non-governmental organizations in the field of its interests.

The Economic and Social Council may furnish information to the Security Council and shall assist it if requested.

NON-SELF-GOVERNING TERRITORIES AND THE INTERNATIONAL SYSTEM OF TRUSTESHIP

Commission II recommends for insertion in the Charter: (1) a Declaration by members of the United Nations responsible for the administration of territories not fully self-governing, and (2) provisions for a system of international trusteeship under which certain categories of territories can be brought.

Declaration in regard to Territories not fully Self-Governing.

The members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize that the interests of the peoples of these territories are paramount and accept as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of such territories within the system of international peace and security, and to ensure the political, economic, social and educational advancement of these peoples, with due respect for their culture; to develop self-government, to take due account of their political aspirations, and to assist the progressive development of their free political institutions; to further international peace and security; to promote constructive measures to realize these purposes;

and to transmit regularly to the Secretary-General, subject to certain limitations, information relating to the economic, social and educational conditions in these territories. They also agree to base their policies in these territories on the general principle of good neighborliness with due respect to the interests and well-being of other members of the world community.

International Trusteeship System

This section of the draft Charter lays down the principles of and provides the machinery for, a system of international trusteeship under which territories in the following categories may be placed by subsequent individual agreements: (1) territories now under mandate; (2) territories which may be detached from enemy states as a result of the Second World War; and (3) territories voluntarily placed under the system by states responsible for their administration. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms. The system will not apply to territories which have become members of the United Nations, relationship among which should be based on respect for the principle of sovereign equality. The Commission recognizes this paragraph to be the primary paragraph of the Section.

In the case of each territory brought under the system a Trusteeship Agreement negotiated between the powers directly concerned will contain the terms under which the territory will be administered and will designate the administering authority which may be one or more states or the United Nations itself. In the case of territories now held under mandate by one of the United Nations the mandatory power will be a party to the agreement. These agreements may designate strategic areas within these territories.

The terms of the Trusteeship Agreements, and their alteration or amendment, will be approved by the General Assembly.

All the functions of the United Nations relating to strategic areas in trust territories including the approval of the Trusteeship Agreements will be vested in the Security Council. The responsibilities of the United Nations in regard to trusteeship in areas other than strategic will be entrusted to the General Assembly.

The basic objectives of the Trusteeship system are to further international peace and security, to promote political, economic, social, and educational advancement of the inhabitants of the trust territories and their development toward self-government or independence as may be appropriate, to encourage respect for human rights and fundamental freedoms for all, and with certain limitations to ensure equal treatment for all members of the United Nations and their national

This part of the Charter will also provide for a Trusteeship Council to assist the General Assembly. It will be composed of specially qualified representatives designated one each by states administering trust territories, one each by the permanent members of the Security Council not administering trust territories, and one each by as many other states named by the General Assembly as will bring the total number of representatives to the point where it is equally divided between administering and non-administering states.

The Trusteeship Council will adopt its own rules of procedure, and the Commission recommends that voting in the Council should be by a simple majority.

The General Assembly, and under its authority, the Trusteeship Council, will have the power to consider reports from the administering authorities, to provide for periodic visits to the territories, and to take other actions in conformity with the trusteeship agreements. The administering authorities will be obligated to make an annual report to the General Assembly on the basis of a questionnaire formulated by the Trusteeship Council.

The administering authority in a trust territory will be empowered for certain specific purposes to make use of volunteer forces, facilities, and assistance from the territory.

A conservatory clause will guarantee that, except as may be agreed upon in individual Trusteeship Agreements, nothing in this Chapter of the Charter shall be construed in or of itself to alter in any manner any rights whatsoever of any states or any peoples or the terms of existing international instruments to which member states may respectively be parties. This provision is not to be interpreted as giving grounds for delay or postponement in the negotiation and conclusion of Trusteeship Agreements. Commission II has also agreed that the rights which are safeguarded by this provision of the Charter include any rights set forth in paragraph 4 of Article 22 of the Covenant of the League of Nations.

FORMAL RECOMMENDATION TO THE PLENARY SESSION

Commission II proposes to the Plenary Session that this report be approved and that the draft articles which give effect to the recommendations of the Commission and which will be received by the Plenary Session directly from the Coordination Committee be inserted in the Charter of the United Nations.

draft revision of first page file

REPORT OF THE RAPPORTEUR OF COMMISSION II
TO THE PLENARY SESSION

Commission II was charged by the Conference at its Fifth Plenary Session with the responsibility of considering and recommending Conference action on those parts of the Charter of the United Nations relating primarily to the General Assembly, the Economic and Social Council, and International Trusteeship.

The three Technical Committees of this Commission which were concerned with the General Assembly and the Economic and Social Council took as the basis of their discussions the provisions of Chapters V and IX of the Dumbarton Oaks Proposals and the comments and suggestions relevant thereto submitted by the Governments of the participating nations. Its fourth Technical Committee, on Trusteeship, took as the basis of its discussions a working paper prepared on the general foundation of proposals submitted by the Delegations of Australia, China, France, the Soviet Union, the United Kingdom, and the United States.

Commission II, in the course of four meetings, received considered and approved reports submitted to it by the Rapporteurs of its four Technical Committees which constitute integral parts of this report.

GENERAL ASSEMBLY

principal
The ~~recommendations~~ of this Commission in regard to the ~~composition and main functions and responsibilities of the General Assembly~~ are as follows:

The Assembly will be a body on which every member of the United Nations is represented and in which every member has one vote. A member which has fallen two years in arrears on its financial obligations to the Organization, however, will not be allowed to vote except by special decision of the Assembly. On important questions a two-thirds majority will be required, but otherwise decisions will be made by a majority vote.

The Assembly will have the right, upon recommendation of the Security Council, to admit new members, to suspend the rights and privileges of members against which preventive or enforcement action is taken by the Security Council, and to

matters within its competence are as follows:

-2-

expel members who persistently violate the principles contained in the Charter. It will have important functions in electing the non-permanent members of the Security Council and the Trusteeship Council, and the members of the Economic and Social Council and the judges of the International Court of Justice. On recommendation of the Security Council it will elect the Secretary General.

The Assembly will have authority in financial and budgetary matters and will consider and approve any financial and budgetary arrangements with specialized international agencies brought into relation with it. It will have the power to examine the administrative budgets of such agencies and to make recommendations concerning them.

The Assembly will meet in annual sessions and in special sessions at the request of the Security Council or of ~~the~~ a majority of the member states.

Commission II has not thought it wise to specify in the Charter that these sessions shall be public, but it has provided that the Assembly shall fix its own rules of procedure and it recommends that the following statement be made a part of the official record of this 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."

The General Assembly will have the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter. It will be authorized to call the attention of the Security Council to situations likely to endanger peace and security. When the Security Council in the discharge of its special responsibilities is dealing with a dispute or situation which may endanger the peace, the General Assembly cannot make recommendations on any such dispute or situation. It is, however, laid down that the Secretary General shall, with the consent of the Security Council, notify the Assembly--or the members of the Organization if the Assembly is not in Session--immediately the Security Council ceases to deal with any such matters. In other respects, however, its right of recommendation to the Security Council, the member states or both is as broad as its right of discussion. It includes the right to recommend measures for the peaceful adjustment of any situation, regardless of origin, which the Assembly deems likely to impair the general welfare or friendly relations

among nations; the right to make recommendations on the general principles of cooperation in the maintenance of international peace and security, including those governing armaments and the regulation of armaments; and in addition wide powers of recommendation in economic, cultural, and humanitarian matters.

The Assembly will be empowered to "receive" and "consider" reports from other bodies of the Organization including the Security Council. The reports of the Security Council shall include an account of the measures which it has taken to maintain international peace and security.

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 11, 12, and 14 is not to be limited in any way with respect to its consideration of reports from the Security Council. Commission II recommends that this Plenary Session approve this interpretive declaration of the Commission and include it in the permanent record of the Conference. ¹²

The General Assembly will be empowered to initiate studies and make recommendations to assist in the realization of human rights and fundamental freedoms and to promote the progressive development and codification of international law. In addition it may initiate studies and make recommendations for international cooperation in the political field.

The General Assembly will have broad responsibilities for advancing the cause of international economic and social cooperation.

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

In the Chapter on International Economic and Social Cooperation, proposed by Commission II, the United Nations agree to 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 cooperation; and (c) universal respect for and observance of human rights and fundamental freedoms for all without distinction of race, sex, language or religion. The member states of the United Nations pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of these purposes.

In this section of the Charter as proposed by Commission II, provision is made also for bringing specialized agencies created by inter-governmental agreement and working in the several fields of international economic and social cooperation into relationship with the Organization. The Organization is also empowered to initiate negotiations for the creation of new agencies required for the fulfillment of its purposes.

Commission II intends the word "economic" as here used, to be comprehensive in its import and to be interpreted as embracing international trade, finance, communications, and transport, including also the problems of reconstruction, raw materials and capital goods. The language of this Chapter should be understood to include international cooperation in the control of traffic in, and the suppression of the abuse of opium and dangerous drugs.

Commission II has also agreed to include in its records the statement that nothing contained in this Chapter can be construed as giving authority to the Organization to intervene in the domestic affairs of member states.

ECONOMIC AND SOCIAL COUNCIL

Commission II has recommended to Commission I that the Economic and Social Council be designated as one of the principal organs of the United Nations.

In the articles which it recommends for insertion in the Charter, it is provided that the Council shall consist of eighteen (18) members elected by the General Assembly and eligible for reelection. Each member will have one vote, and decisions will be by simple majority.

This Council will be authorized to make recommendations for promoting respect for and observance of human rights and fundamental freedoms. A wide range of responsibility is entrusted to it with respect to international economic, social, cultural, educational, health, and other related matters. Within its competence it will carry out the recommendations of the Assembly in all these fields, make and initiate studies and reports, and coordinate the activities of specialized international agencies. These will be brought into relationship with the Organization on terms agreed upon between them and the Economic and Social Council subject to the approval of the General Assembly. The Council may arrange to obtain regular reports from the specialized agencies, to have representatives of these agencies participate without vote in its