

UNCIO - Working papers - Commissions & Technical Committees - press releases of Committee 1/2

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UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

May 26, 1945
No. 164

COMMISSION I - GENERAL PROVISIONS
COMMITTEE 2 -- MEMBERSHIP AND GENERAL

Committee I/2 at its 13th meeting, on May 25, 1945, considered again questions relating to membership.

The Committee adopted a slightly revised text of Chapter III on Membership, as follows:

"The initial members of the organization shall be the signatories of the Charter, whose ratification has become effective in accordance with Chapter _____, Article _____.

"Membership of the Organization is open to all peace loving states which, in the judgment of the Organization, are able and ready to accept and carry out the obligations contained in the Charter."

The Committee then discussed a report of a special subcommittee on expulsion and suspension from membership. A motion to maintain in the Charter a reference to expulsion was rejected when it failed to receive the necessary two-thirds vote. Those who opposed a reference to expulsion argued that such a reference would constitute a violation of the principle of universality. Those favoring, argued that the Organization should be sufficiently strong to expel a member which continued to violate its principles.

The Committee, without further debate, accepted the following text on suspension which the subcommittee recommended to replace the provision for suspension in the Dumbarton Oaks Proposals (Chapter V, Section B, Paragraph 3). The text reads as follows:

"The Organization may at any time suspend from the exercise of the rights or privileges of membership any member of the Organization against which preventive or enforcement action shall have been taken by the Security Council, or which shall have violated the principles of the Charter in a grave and persistent fashion. The exercise of these rights and privileges may be restored in accordance with the procedure laid down in Chapter _____ paragraph _____."

UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 24, 1945
No. 151

COMMISSION I - GENERAL PROVISIONS
COMMITTEE 2 -- MEMBERSHIP AND GENERAL

The Committee met and continued the study of Chapter X of the Dumbarton Oaks Proposals dealing with the Secretariat. The Amendment to paragraph I proposed by the four sponsoring powers evoked considerable discussion, with some sixteen members speaking on the question of limiting the term of office of the Secretary General.

The Chairman announced that the several provisions would be voted on separately and the Committee then adopted the provision limiting the term of office of the Secretary General to three years by a vote of 27 to 8, and unanimously approved the provision making him eligible for reelection.

Earlier the Committee had defeated by a vote of 24 to 8 an amendment proposed by the Belgian delegate which stated: "There should be no mention in the charter of the term of office of the Secretary General."

In the discussion preceding these votes the Belgian delegate, among several others, had argued that three years was too short a term to attract the right man, and insisted that if a Secretary General was found to be incompetent he could easily be forced to resign. He cited a similar situation which once faced the League of Nations, pointing out that it was a simple matter to secure the desired resignation.

The Delegate from Canada argued that the tenure of office be left to the General Assembly. Others supporting these views included the delegates from the Netherlands, Norway, Australia and Argentina.

The Delegates from the United States, United Kingdom and the U.S.S.R. defended the three year term, with eligibility for reelection, as proposed in the sponsoring powers amendment, insisting that a competent Secretary General could be returned to the post many times, but that the three year term would prove a safeguard against retaining an incompetent man in office. They were supported by the Delegate from Egypt. A number of delegates suggested that the term be increased to more than three years, but the question did not come up for a vote.

The Committee

The Committee then took up the question of whether the Charter should specifically state the number of deputy secretaries general to be elected. The amendment proposed by the sponsoring powers stated there should be four deputy secretaries general.

The Australian delegate declared that he felt that specifying that there should be four deputy secretaries general was fraught with political dangers in that it might come to the point where the five big powers alone were represented in the positions of Secretary General and deputy secretaries general. He was supported by the delegation from India, the Netherlands and several others.

The Delegate from U.S.S.R. proposed that the amendment be changed to provide for five deputy secretaries general instead of four. This proposal was seconded by the delegate from United Kingdom. He pointed out that there were sound administrative reasons for naming five, since one might be the first assistant to the Secretary General, acting for him in many matters, and the other four might be concerned respectively with matters pertaining to the Security Council, the General Assembly, the Economic and Social Council and, possibly, with the International Court of Justice.

The U. S. delegate pointed to the importance of the deputies and the power that the secretariat will hold in the new organization, and argued it was necessary for the Charter to provide for their number and election.

The delegate from Greece supported the U.S.S.R. proposal for five deputies and discounted fears that there were political implications in the plan.

The rapporteur took the chair and the Chairman, speaking as the delegate from Costa Rica, opposed there being any mention of the deputies in the Charter. This view was also supported by the delegate from Argentina.

The delegate from New Zealand moved that there should be no mention of deputy secretaries general in the charter, and on a roll call vote requested by the delegate from the United Kingdom this was defeated by 15 to 13.

After considerable further discussion it was decided to vote on the U.S.S.R. proposal to specify that there should be five deputies at the next meeting.

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UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 23, 1945
No. 143

COMMISSION I - GENERAL PROVISIONS
COMMITTEE 2 -- MEMBERSHIP & GENERAL

CHAIRMAN - - ALVARA BONILLA LARA (Costa Rica)
May 23, 1945, 10:30 A.M.

At its eleventh meeting, Committee I/2 approved by a vote of 38 to 1 a report of the subcommittee appointed on May 21 to discuss the questions of withdrawal, suspension, and expulsion from membership.

The Subcommittee reported on the subject of withdrawal as follows:

The Delegate of Uruguay explained the reasons why a provision forbidding withdrawal from the Organization by a member should be included in the Charter. These he set forth as:

1. The necessity of the Organization being based on permanent and compulsory universality.
2. The experience of the League of Nations in regard to withdrawal of members.
3. The fact that as soon as a great power is outside the Organization by either expulsion or withdrawal, all nations not satisfied with the Organization will group themselves around that great power.
4. The fact that as soon as the Organization faces the dissatisfied great power and its satellites, conflict will arise.
5. Withdrawal and expulsion would create a difficult situation in the field of international law, since diplomatic and consular relations should only be maintained between members of the Organization.
6. To claim that the Organization can interfere in the activities of non members is neither judicial, political, nor logical. Paragraph 6 of Chapter II has meaning only if it is based on universality, and this is not so if withdrawal and expulsion are possible.

It was stated by several delegates that omission of any reference to withdrawal constituted agreement with the principle of universality.

The subcommittee agreed that the questions to be considered were whether or not the Committee approves withdrawal and whether the Committee wishes to include a provision for withdrawal in the Charter.

It was pointed out that if a provision for withdrawal were included in the Charter, the act of withdrawal by any state would indicate either that the State intended to act in contravention to the principles of the Organization, or that the state felt that the Organization was not fulfilling the purpose for which it was created.

It was further pointed out that if the Charter included the prohibition against withdrawal, it would be necessary to provide for sanctions against nations which attempted to withdraw, and it was urged that the inclusion of such provisions in the Charter would render it difficult for practical reasons to secure acceptance of the Charter by national parliaments.

It was also pointed out that if the Charter contained any reference to withdrawal, a state might use the threat of withdrawal as a means of gaining special advantages in the Organization.

The subcommittee unanimously accepted the following statements as representing its views on the question of withdrawal:

"The Commission adopts the opinion of the inviting powers that the faculty of withdrawal of the members should neither be provided for nor regulated. Should the Organization fulfill its functions in the spirit of the Charter, it would be inadmissible that its authority could be weakened by some members deserting the ideal which inspired them when they signed the Charter, or even mocked by aggressor or would-be aggressor states.

"It is obvious, however, that withdrawal or some other form of dissolution of the Organization would become inevitable if, deceiving the hopes of humanity, the Organization was revealed to be unable to maintain peace or could do so only at the expense of law and justice. On account of this risk, inherent to all human enterprises, the Committee abstains from inserting in the Charter a formal clause forbidding withdrawals."

The subcommittee was agreed that delegates might reserve the right to suggest verbal changes to the text to be adopted by Committee I/2.

It seems to us that the recommendation submitted by the subcommittee is inspired by the thought that it would doubtlessly be too rash to try to determine by rigid regulations the attitude of the states regarding the question of withdrawal.

The absence of statutes on this point would constitute rather a voluntary omission based upon the same motives which have already determined the Committee not to recognize formally the question of universality as an absolute rule, since the two questions, of universality and of withdrawal, seem closely interlinked.

The subcommittee is still discussing the questions of suspension and expulsion.

Following adoption of the report of the subcommittee, Committee I/2 continued a discussion of Chapter X, The Secretariat.

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UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 17, 1945
No. 105

COMMISSION I - GENERAL PROVISIONS
COMMITTEE 2 - MEMBERSHIP AND GENERAL

CHAIRMAN - - - ALVARO BONILLA LARA
(Costa Rica)

Committee I/2, at its first evening session - held at 8:30 P.M. on May 16, 1945, - engaged in lengthy discussion on the question of whether specific reference should be made in the Charter being drafted at this Conference to the participation and representation of women in the proposed international organization on an equal basis with men. The Committee agreed that such a reference should be made in Chapter IV on Principal Organs. A subcommittee was appointed by the Chairman to prepare a draft paragraph on this subject for the consideration of the Committee.

UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 15, 1945
NO. 91

COMMISSION I: General Provisions
COMMITTEE 2: Membership and General

Chairman: Alvaro Bonilla Lara, Costa Rica

Committee 1/2 accepted at this afternoon's meeting a formula which will serve as the basis of paragraph one of Chapter IV on Principal Organs. The formula, following the general form of paragraph one of Chapter IV of the Dumbarton Oaks Proposals, provides for the inclusion of the Economic and Social Council as a principal organ.

Committee II/3 (Economic and Social Cooperation) has already placed itself on record in favor of this status for the Economic and Social Council. The formula which Committee 1/2 adopted stipulates also that it applies "without prejudice to the addition of any of such other organs as this Conference may create."

UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 14, 1945
NO. 81

COMMISSION 1
COMMITTEE 2

MEMBERSHIP AND SECRETARIAT

Committee 1/2 adopted this afternoon the draft chapter on membership in the proposed international organization as follows:

"Members of the Organization are the signatories of the Charter whose ratification has become effective in accordance with Chapter XI.

"Membership of the Organization is open to all peace-loving states, which, in the judgement of the Organization, are able and ready to accept and carry out the obligations contained in the Charter."*

The draft was prepared by a subcommittee under the chairmanship of Mr. Girard Lescot, Haiti, Rapporteur for Membership, consisting of representatives of Ecuador, the Netherlands, the Phillipine Commonwealth, Syria, the Soviet Union and the United Kingdom in addition to the President of Commission I, the Chairman of Commission I/2 as ex-officio members. The Subcommittee considered the general discussion which had taken place during the past week, as well as the several proposals and amendments of the countries participating in the conference.

*(NOTE: The action of the Committee in approving this text is in the nature of a recommendation to the Commission. If approved by the Commission, the Provision must next be considered in relation to the work of the other three Commissions. It may also go through a process of drafting to assure appropriate and uniform language. As a last step the text must be referred to the Conference in Plenary Session for final adoption.)

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UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION

FOR THE PRESS

MAY 11, 1945
NO. 71

SUB-COMMITTEE OF COMMITTEE I/2

When he saw the press this morning after the meeting of Committee 2 of Commission I (Membership, Amendment and Secretariat), the Chairman, Mr. Alvaro Bonilla Lara, of Costa Rica, said that he would seek the consent of its members to announce the make-up of the Sub-Committee appointed to draft a more precise statement on membership to replace Chapter III of the Dumbarton Oaks Proposals.

Mr. Bonilla Lara now announces that the Sub-Committee's members are:

Henri Rolin, Belgium, President of Commission I
Alvaro Bonilla Lara, Costa Rica, Chairman of
Committee 2
William Mabane, United Kingdom
S. B. Krylov, USSR
FARIS ZEINELDIN, SYRIA
GALA PLAZA LAZO, Ecuador
Adrian Pelt, Netherlands
Vicente Sinco, Philippine Commonwealth
Gerard E. Lescot, Haiti, Rapporteur of
Committee 2 for Membership

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PROVISIONAL PRESS STATEMENT, May 8, 1945

Senor Bonilla Lara: Ladies and gentlemen of the press and radio, may I thank you for meeting with me this morning. I am pleased to have this opportunity to explain to you something about the work of Committee 2 of which I have the honor to be chairman.

The Committee has been assigned for its consideration and presentation to the Commission, Chapters III, IV, X and XI of the Dumbarton Oaks Proposals. These chapters may not have been aired as widely as other sections of the Proposals in the pre-conference discussions of the general international organization, but they are no less important and significant to the establishment of a successful organization which must be able to adapt itself to the changing conditions of world affairs. My distinguished colleagues, many of whose countries are enjoying freedom from fear today for the first time in six years, are bent on devoting all their skill and

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talent to the successful fulfillment of their responsibilities.

I shall run over briefly the subjects which the Committee will have under its consideration: membership, principal ~~organ-~~
~~izations~~, secretariat, and method of amendment. You may not find much news in what I have just related to you. The Committee has just started its task. Its distinguished members are still getting acquainted with each other and feeling their way around in the work involved in the Committee. As soon as the Committee has progressed to a stage where what it is doing is news, you may be assured that I shall meet with you again.

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COMMUNIQUE PROVISOIRE A LA PRESSE, 8 Mai 1945.

Monsieur Bonilla Lara: Mesdames et Messieurs les Reporters de la presse et de la radio, je tiens à vous remercier d'être venus ce matin. Je suis heureux d'avoir cette occasion de vous donner quelques explications sur les travaux du Comité 2 que j'ai l'honneur de présider.

Le Comité a été chargé d'étudier, à l'intention de la Commission, les Chapitres III, IV, X et XI des Propositions de Dumbarton Oaks. Ces Chapitres n'ont peut-être pas été explorés aussi complètement que d'autres parties des Propositions au cours des discussions qui ont eu lieu avant la Conférence sur l'organisation générale ~~internati~~ internationale, mais ils ne sont ni moins importants ni moins nécessaires au point de vue de l'établissement d'une bonne organisation capable de s'adapter aux conditions changeantes des affaires mondiales. Mes distingués collègues, dont le pays, ~~par~~ ^{n'est} pour beaucoup, ~~je n'ai pas été~~ ^{que d'} libéré de la peur ~~qu'~~ aujourd'hui, après l'avoir subie six ans, consacreront tout leur savoir et tout

leur talent à l'accomplissement de leur tâche.

Je vais brièvement passer en revue les questions que le Comité ~~principaux~~ aura à examiner: participation à l'Organisation, organismes principaux, secr^étariat/ et revision de la charte.

Il n'y a peut-être pas grand'chose de nouveau dans ce que je viens de vous dire. Le comité ne fait qu'aborder ses travaux.

Ses membres en sont encore à faire connaissance ^(lissons avec les autres) et à tâtonner

dans le domaine qui leur a été assigné. Dès que ~~nous~~ nous en serons arrivés à un stade qui pourra vous intéresser, soyez assurés

que je me ferai un plaisir de vous recevoir de nouveau.