

UNCIO-Working Papers - Darlington correspondence on general committees & commissions.

15 April 1945  
30 June 1945

Clear - NK  
06/05

S-1006  
Box-3  
File-4

(PA65/2.2.1)

5/18/45

Mr. Darlington:

Will you please take  
this up with Gilchrist and  
Deming and explain that  
Mrs. Wiers did not know  
what happened to the paper.

W. Cawling

Done

CM



"It is suggested that the Acts of the Conference should be limited to the Charter, the Statute of the International Court, and an Annex to the Charter establishing a Commission with administrative powers to function during the interim period prior to the first meeting of the Assembly."

The Jurists' Committee, at its meeting May 31, agreed that the Statute of the Court should be annexed to and form an integral part of the Charter, should not be labeled as an annex, and should not be separately signed.

It is suggested that the Coordination Committee may wish to adopt this recommendation for reference to the Executive and Steering Committees.

#### 5. The Procedure for Authentication

There continues to be some feeling that at the last moment a number of Delegations may <sup>not</sup> be satisfied with the authenticity of the texts in all five official languages. A number of discussions have been held within the Secretariat but no final conclusions appear to have been reached.

Messrs. Rothwell and Stewart are developing a plan for an Advisory Committee on Languages which they suggest might be placed before the Coordination Committee for its recommendation before taking the matter to the Executive and Steering Committees.



Related to, but quite distinct from the plan stated immediately above, is the proposal that a single text in one language be specifically designated to govern cases of disputed interpretation. It has been suggested that unless provision is made whereby a governing text in one language shall prevail in case of disputed interpretation, such disputes cannot be settled by any judicial authority. This question is entirely distinct from the problem of securing fully comparable texts under the plan being developed by Mr. Rothwell and Mr. Stewart.

#### 6. Reservations to the Charter

There have been some indications that several Delegations would insist upon including reservations when they sign the Charter. Since it is generally thought undesirable to have the Charter signed with reservations, this question will bear watching to see whether or not it should be brought before the Executive, and then the Steering Committee. At the present moment, however, it is thought that the Delegations in question can be prevailed upon to sign without reservations and they are being sounded out informally by Mr. Avra Warren (Latin American Delegations) and C. F. Darlington (Australian Delegation).

#### 7. The Conference schedule during the visit of President Truman

Perhaps these plans should be presented directly to the Steering Committee for its information, in advance of his coming.



8. Program for the final Plenary session

It has been proposed that, in addition to President Truman's speech at the final Plenary session, that Secretary Stettinius speak on behalf of the host government and that General Smuts reply on behalf of all other delegations. There would be no other speakers. The Secretariat has been asked to learn, informally, the reactions of members of the Executive Committee to this suggestion.

9. The Chairman of the Executive and Steering Committees may want to make a statement of appreciation at the last meeting of those Committees.

Note: The testimonial statement to the people of San Francisco and California is now an item on the Agenda of one of the final Plenary Sessions rather than the Steering Committee.



*File*

May 7, 1945

MEMORANDUM

TO: Mr. Darlington  
FROM: Mr. Marlin  
SUBJECT: METHOD OF HANDLING THE 27 AMENDMENTS OF THE  
FOUR SPONSORING POWERS

In the Meeting this morning of Committee III/2 Sub-Committee A the problem arose of the method of handling the 27 amendments to the Dumbarton Oaks Proposals submitted by the four sponsoring powers. It was pointed out that the 27 amendments substantially modified the Dumbarton Oaks Proposals so that the latter becomes in effect a new basic document which will require reconsideration by the invited powers and a reconsideration also of the amendments which they have submitted.

The Delegate of the U.S.S.R., Mr. Sobolev, stated positively that he would want the 27 amendments to be considered as an integral part of the Dumbarton Oaks Proposals. The problem was finally shelved by agreement that a decision on this matter would have to come from the Executive or Steering Committees.

ERM/hmh



*Mr. Huntington*  
*For filing*

May 16, 1945

Mr. Staley:

The Executive Officer of the Executive and Steering Committees, Mr. Darlington, has advised me that the Chairman of the Executive Committee Mr. Edward R. Stettinius, has informed him that the Executive Committee has sustained the ruling made by the Chairman of your Committee as set forth in your letter of May 15, 1945 concerning the problem involving the interpretation of Section V (Voting) of the Rules of Procedure which arose during the meeting of Committee II/2 on May 15th.

This decision of the Executive Committee will be confirmed later in writing by the Chairman of the Executive Committee.

Huntington Gilchrist

cc: Executive Secretary



## ARRANGEMENT OF THE DUMBARTON OAKS PROPOSALS

### Chapter I - Purposes

1. To maintain international peace and security by collective measures.
2. To develop friendly relations and strengthen peace.
3. To achieve international cooperation in the solution of various problems.
4. To afford a center for harmonizing the actions of nations.

### Chapter II - Principles

1. Sovereign equality of all peace-loving states.
2. Undertaking to fulfill obligations under the Charter.
3. Undertaking to settle disputes by peaceful means.
4. Undertaking to refrain from threat or use of force.
5. Undertaking to give every assistance to the organization.
6. Undertaking to refrain from giving assistance to certain states.

### Chapter III - Membership

### Chapter IV - Principal Organs

1. List of the four organs.
2. Provision for subsidiary agencies.

### Chapter V - The General Assembly

#### Section A - Composition

#### Section B - Functions and Powers

1. Should have right to consider, discuss and recommend (but not on matters being dealt with by the Security Council).
2. Should have power to admit new members on recommendation of the Security Council.
3. Should have power to suspend and to expel a member.
4. Should elect (i) non-permanent members of S. C.  
(ii) members of Ec. & Soc. Council  
(iii) Secretary-General  
(iv) Judges, as may be authorized under the Statute.



5. Should apportion expenses and approve budgets.
6. Should make studies and recommendations to promote international cooperation.
7. Should coordinate the policies of the specialized agencies.
8. Should receive annual reports of S. C. and the other agencies.

#### Section C - Voting

1. Each member should have one vote.
2. Important decisions 2/3; other matters majority.

#### Section D - Procedure

1. Should hold regular annual sessions and special sessions as necessary.
2. Should adopt our rules and elect president for each session.
3. Should set up such agencies as are necessary for performance of functions.

### Chapter VI - The Security Council

#### Section A - Composition (11 members; 5 permanent)

#### Section B - Principal Functions and Powers

1. Members should confer on S. C. primary responsibility for peace.
2. In discharging duties the S. C. should act in accordance with the Organization's purposes and principles.
3. Specific powers are laid down in Chapter VIII.
4. All members should obligate themselves to accept and carry out decisions of the S. C.
5. Responsibility of the S. C. for establishing a system regulating armaments.

#### Section C - Voting

1. Each member should have one vote.
2. Decisions on procedural matters by affirmative vote of 7
3. Decisions on all other matters by affirmative vote of 7 including permanent members. Under Chapter VIII, A and VIII, C, 1 (second sentence) a party to dispute should not vote.



#### **Section D - Procedure**

1. Permanent representation of members at HQ, and periodic meetings.
2. Should set up necessary bodies for its work.
3. Should adopt rules of procedure, and method of selecting its president.
4. Any member of Organization should participate when its interests are affected.
5. Any member of Organization, or non-member, should participate when a party to a dispute under consideration.

#### **Chapter VII - An International Court of Justice**

1. There should be a court.
2. Its statute should be annexed to and a part of this Charter
3. Statute should be either the old one or a new one.
4. All members of the Organization should be parties to the Statute.
5. Non-members of the Organization to become parties to the statute as determined by the Assembly on recommendation of the S. C.

#### **Chapter VIII - Arrangements for Maintenance of International Peace and Security Including Prevention and Suppression of Aggression**

##### **Section A - Pacific Settlement of Disputes**

1. Should investigate dispute to determine whether its continuance would endanger peace.
2. Any state may bring dispute before Assembly or Council.
3. Parties to dispute should obligate themselves to seek solution by peaceful means of their choice.
4. If peaceful settlement by means of their choice impossible, parties should refer dispute to Council.
5. S. C. should have power to recommend procedure on methods of adjustment.
6. Justiciable disputes should be referred to the Court. The S. C. should be able to ask Court for advice.
7. Above provisions do not apply to domestic matters.

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

1. S. C. should take any measures necessary to maintain peace if a dispute is not settled under Section A.



2. S. C. should decide on measures to maintain or restore peace if a threat or breach exists.
3. S. C. should determine use of non-military sanctions and call upon members to apply them.
4. Should such measures be inadequate, S. C. should have power to take military action.
5. By special agreement between themselves members of the Organization should make armed forces and facilities available to the S. C.
6. Air force contingents should be held immediately available.
7. Action required by the S. C. to maintain peace should be taken by all members of the Organization or by some as the S. C. may determine.
8. Plans for the use of armed force should be made by the S. C. with the aid of the Military Staff Committee.
9. The Military Staff Committee.
10. The members of the Organization should give mutual assistance in carrying out the decisions of the S. C.
11. States faced with economic problems in carrying out S. C. decisions should consult the S. C.

#### Section C - Regional Arrangements

1. S. C. should encourage settlement of disputes through regional arrangements or agencies.
2. S. C. should use regional agencies for enforcement action but no action should be taken without authority of S. C.
3. S. C. should be kept fully informed of activities of regional agencies.

### Chapter IX - Arrangements for International Economic and Social Cooperation

#### Section A - Purpose and Relationships

1. Organization should facilitate solution of economic, social and other problems through an Ec. & Soc. Council under the responsibility of the General Assembly.
2. Various specialized agencies should be related to the Organization by agreements.

#### Section B - Composition and Voting (18 members, elected by the General Assembly, each with one vote, taking decisions by simple majority).



### Section C - Functions and Powers of the Economic and Social Council

1. Should be empowered to:
  - a. carry out recommendations of the General Assembly
  - b. make recommendations on its own initiative.
  - c. to receive reports of agencies and coordinate their activities.
  - d. to examine administrative budgets of the agencies.
  - e. to give the Secretary-General information for the S. C.
  - f. to assist the S. C. on its request.
  - g. to perform other functions assigned by the General Assembly.

### Section D - Organization and Procedure

1. Ec. & Soc. Council should set up commissions and have a permanent staff part of the Secretariat.
2. Specialized agencies should participate without vote in deliberations of the Council and its commissions.
3. Council should adopt own rules and methods of selecting its president.

### Chapter X - The Secretariat

1. Should be a Secretariat, headed by a Secretary-General elected by the General Assembly on the recommendation of the S. C.
2. The Secretary-General should act for all bodies of the Organization and should make an annual report to the General Assembly.
3. The Secretary-General should have right to bring to the attention of the Security Council any matter threatening peace.

Chapter XI - Amendments (should come into force when adopted by two-thirds of the General Assembly and ratified by the permanent members of the Security Council, and majority of the other members of the Organization).

### Chapter XII - Transitional Arrangements

1. The four powers should consult together to maintain peace pending the effective coming into force of the Organization.
2. No provision of Charter should preclude action in relation to enemy status in the present war.



THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

May 7, 1945

TO: Mr. Darlington ✓  
FROM: Mr. Marlin *Wm*

ESTABLISHMENT OF SUBCOMMITTEES  
(Commission II/3, May 7)

After several proposals to set up subcommittees of the Committee, Mr. Fraser of New Zealand spoke rather vigorously against them on the grounds that (1) the Conference was over-organized already; (2) the delegates could barely keep up with 12 committees let alone subcommittees thereof; (3) subcommittees would serve only to confuse the situation further; and (4) that the Committee had an experienced Chairman and he and the Secretary were capable of organizing the Committee's agenda and its work. This proposal was passed by acclamation. This action may have some significance for the organization of the other Committees.

ADMISSION OF REPRESENTATIVES OF INTERNATIONAL ORGANIZATIONS\*  
TO MEETINGS  
(Committee II/3, May 7)

In the meeting of this Committee this afternoon, the following countries spoke for admitting representatives and for referring the matter to the Executive or Steering Committee:

In favor of admitting representatives to meetings

Canada  
Belgium  
Norway  
United Kingdom  
Uruguay  
Australia  
New Zealand  
France

Refer to Executive and Steering Committees

United States  
U.S.S.R.  
Yugoslavia  
China  
Peru  
Cuba  
Bolivia  
Czechoslovakia  
Syria

\* League, ILO, UNRRA, FAO, Court. France spoke for World Trade Union Conference. Supported by New Zealand.



File

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

May 7, 1945

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The Delegate of the U.S.S.R., Mr. Sobolev, stated positively that he would want the 27 amendments to be considered as an integral part of the Dumbarton Oaks Proposals. The problem was finally shelved by agreement that a decision on this matter would have to come from the Executive or Steering Committees.

ERM/hmh



File

May 3, 1945

MEMORANDUM

TO: Mr. Darlington

FROM: Mr. Thompson

SUBJECT: Points Raised in Commission I Meeting This Morning  
(May 3, 1945) Which Are Particularly Pertinent to  
Our Steering and Executive Committee Responsibilities

OK  
1. Commission Chairman Rolin of Belgium suggested that in the absence of the Ukrainian S.S.R. Delegation, which should furnish the Chairman of Technical Committee 1, he would act ad interim and that Executive Officer Malcom Davis should write a note to this effect to President Stettinius. Mr. Davis said after the meeting that since there had been no objection, he would do so.

OK  
2. Chairman Rolin asked every Delegate to appoint a replacement from his own Delegation to serve in case of the absence of the regular Delegate. However, he stressed continuity.

Permit Section in rules  
3. The Chairman gave some explanation of the Provisional Rules of Procedure and explained that voting still had to be decided. He said amendments of substance would have to be submitted to the Secretary General by May 5 and could not come originally to the Commissions or Committees. At that point it was not clear whether it was anticipated that all these amendments would be submitted by the Secretary General to the Steering Committee to determine whether they were pertinent to the agenda. The Chairman also said that later amendments should be in written form and circulated twenty-four hours before voting, but it was not clear as to how and why such amendments could be submitted after Friday (May 5).

For reply  
4. Chairman Rolin said that he thought there were gaps in the present assignments of Commission and Committee responsibility, and that there were some overlaps, as in the case of membership, which is discussed in Chapters III and V of the Dumbarton Oaks Proposals. Malcom Davis observed that he hoped Commission officers would consult together on relationships between the work of the various Commissions and Committees, and if consultation proved inadequate, such questions could be referred to the Steering and Executive Committees.

5. It seemed likely from the discussion that each Committee would consider general principles and vote a decision in principle on given points and ask drafting Subcommittees to execute the decision.



6. In answer to complaints made by the Czech Delegation against the prospect of conflicting meetings of Committees which small Delegations could not cover, it was stated that the Secretariat will try to have three Technical Committees meeting simultaneously each half day but will try to avoid simultaneous meetings of Committees which work on closely related questions.

7. Rolin observed that the Steering Committee had not made a final decision on voting and that until a decision is made he will require a bare majority ~~to~~ vote on procedural questions and a two-thirds vote on substantive issues. If an issue lacks a two-thirds majority, it will be referred to a Subcommittee. A two-thirds majority will be required of those present and voting.

8. The agenda for the meeting included the following six points: 1. Opening statement by the President; 2. Organization of Commissions and Committees; 3. Procedure; 4. Documentation; 5. Terms of reference for Commissions and Committees, and 6. Schedule of Committee Meetings.

Chairman Rolin added Point 7 concerning minutes of Committee meetings and press releases. He felt that both minutes and press releases of Committees should include only conclusions. He argued that statements made by Committee members and votes on issues should not be recorded since it would emphasize division of opinion. If this division were not recorded, some Delegations might then be willing to switch sides at the stage of Commission consideration.

The Delegation from Syria, however, wanted minutes for study and noted that it would be of assistance to small Delegations which could not cover personally the meetings of all Committees.

Rolin observed that verbatim reports were being taken but said it was obviously impossible for the Secretariat to distribute them although they would be available for any one to look at who wished to do so.

Syria expressed willingness to leave the question to Chairman Rolin, and he gave ~~up~~ his provisional decision, subject to discussion by the Steering Committee, that minutes and press releases would contain only the final conclusion reached by the Committees.



*Mr. Bidault*

May 4, 1945

My dear Mr. Bidault:

Mr. Eden has asked me to reply to your letter of April 30, 1945, on the subject of the translation into English of Monsieur Spaak's statement made at that afternoon's Plenary Session.

I wish to take full responsibility for the inquiry which a member of my staff made, on my direction, to Monsieur Spaak as to whether the latter desired to have his statement translated into English. It was reported to me that Monsieur Spaak thereupon requested that an English translation of his statement be made. It was upon this basis that the English translation of his statement took place.

I had not regarded the action of the Plenary Session in adopting Senor Belt's report of April 27 as establishing in this connection anything more than a guide to language procedure. I understand from a representative of the French Delegation, however, that your delegation regards the paragraph in Senor Belt's report of April 27 which is headed "Working Languages of the Conference" as a formal binding rule of procedure. In this connection I call attention to the fact that the next paragraph of Senor Belt's report under reference is entitled "Official Languages of the Conference" and states that a more detailed report on the question of languages will be submitted subsequently. The distinction between the heading "Working Languages of the Conference" and the heading "Official Languages of the Conference" had seemed to me significant.

Mr. Georges Bidault  
Minister of Foreign Affairs  
of the Provisional Government  
of the Republic of France  
St. Francis Hotel  
San Francisco, California



I had assumed for the various reasons stated above that the Conference had adopted no fixed decision which would prevent a delegate who speaks at a Plenary Session in either French or English from having his remarks, if he so desires, translated into the other of the two languages. I had regarded the decision of the Plenary Session of April 27 in adopting Senor Belt's report as merely providing that unless some other arrangement was made on an ad hoc basis the Secretariat had no responsibility to provide immediately interpretation into the other working language of such speeches.

I am indeed sorry if the fact that my interpretation of this matter differed from that of your delegation contributed to an occurrence which you feel prejudiced a matter in which your delegation has an interest. I trust that the foregoing explanation will be satisfactory to you, but in the event that upon further consideration you still do not agree with my interpretation I hope that you will be so good as to bring the matter before some subsequent meeting of the Steering Committee or perhaps of the Executive Committee so that I may receive clarified instructions.

I am sending copies of this letter to Mr. Eden, to Monsieur Spaak, and to Senor Belt.

Please accept, Mr. Minister, the highest assurances of my consideration.

*Copies to -*

*Mr. Eden  
Mr. Spaak  
Mr. Belt  
Mr. Rathwell  
Mr. Darlington*

Alger Hiss  
Secretary General

Secr:AHiss:lcw



✓ Row is - look this over with  
care & see if you see any questions  
spoke from our standpoint.

✓ T

PROCEDURE FOR HANDLING THE ACCEPTANCE OF PORTIONS OF THE  
CHARTER, STATUTE FOR THE INTERNATIONAL COURT OF JUSTICE,  
AND RESOLUTION ESTABLISHING THE INTERIM COMMISSION

As portions of the text of the Charter of the International Organization and the Statute for the International Court of Justice are agreed upon in the Technical Committees they will be submitted for clearance and acceptance in the following manner:

1. Six copies in English of the agreed text of the Charter of the International Organization will be delivered to the Documents Control Office (Room 437) by Committee Secretaries in the form suggested in SEC 24, May 18. If a Technical Committee has approved a text in French as well as in English, six copies of this French text also should be delivered to the Documents Control Office. (The Statute for the International Court of Justice has been delivered by Mr. Padelford to Mr. Rothwell, and by Mr. Haldeman to Mr. Gange.)

To be noted by: Executive Officers of the Commissions  
and the Secretaries of the Technical Committees

2. The Documents Control Office will make immediate distribution of the texts received, as noted above, to Mr. Rothwell, Mr. Darlington, Mr. Stewart, Miss Ball, and Mr. Gange.

To be noted by: Mr. Hamilton, and Mr. Lawman

3. A French translation of the agreed English text as received from the Technical Committees will be prepared by the Translating and Interpreting Bureau for the Coordination Committee if no French text was adopted by the Technical Committee. The English text will be sent to the Translating and Interpreting Bureau from Mr. Darlington's Office via the Documents Office.

To be noted by: Coordination Committee Secretariat, Documents  
Office and the Translating and Interpreting Bureau

4. When the English and French texts are prepared as documents for the Coordination Committee, copies will be distributed by the Documents Distribution Officer to the Translating and Interpreting Bureau for the Chinese, Russian and Spanish translating sections, and to Mr. Gange. These documents will provide the translators with their first working materials for the other three official languages.

To be noted by: Documents Distribution Officer, Translating  
and Interpreting Bureau and Mr. Gange



5. After the Coordination Committee has given preliminary approval at the first reading of the English and French texts, Mr. Darlington through Mrs. Rommel will give Mr. Gange the articles as approved. Mr. Gange will deliver these to the Translating and Interpreting Bureau where the translators will make appropriate corrections, if any are needed, in their preliminary drafts of the Chinese, Russian and Spanish versions.

To be noted by: Mrs. Rommel, Mr. Gange and the Translating and Interpreting Bureau

6. The translators and their staffs will prepare six type-written copies of the translated texts. These copies will be available to the Advisory Committee of Jurists if the latter requests copies of the Chinese, Russian and Spanish versions of the texts.

To be noted by: Translating and Interpreting Bureau and Coordination Committee Secretariat

7. Changes made in the English and French texts by the Advisory Committee of Jurists will be given to the Translating and Interpreting Bureau for the correction of the typewritten copies which were prepared as described in paragraph 6.

To be noted by: Coordination Committee Secretariat, Mr. Gange and the Translating and Interpreting Bureau

8. After consideration by the Advisory Committee of Jurists the English and French texts will be submitted by the Coordination Committee Secretariat to the Coordination Committee for a second reading. Any changes made in the text at this reading by the Coordination Committee will be communicated to the Translating and Interpreting Bureau as described in paragraph 7.

To be noted by: Coordination Committee Secretariat and the Translating and Interpreting Bureau

9. When both the English and French texts have been given final approval by the Coordination Committee, Mr. Darlington through Mrs. Rommel will give Mr. Gange those articles which have been so approved. The Translating and Interpreting Bureau will be advised of any changes made in the articles since their previous review by the Coordination Committee or Advisory Committee of Jurists, and corrections as needed will be made in the Chinese, Russian and Spanish texts.

To be noted by: Mrs. Rommel, Mr. Gange and the Translating and Interpreting Bureau



10. When the texts in all five official languages have been prepared by the Translating and Interpreting Bureau Mr. Gange will deliver to Mr. Dawson for the Advisory Committee on Languages these texts in whatever quantity may be needed by the three panels which are to compare the five language versions.

To be noted by: Mr. Gange and Mr. Dawson

11. The texts as approved by the Advisory Committee on Languages will be delivered to the Conference Editor by Mr. Gange for editorial notations. Any questions on editing will be cleared with Mr. Darlington.

To be noted by: Mr. Gange, Mrs. Angel and Mr. Darlington

12. After the text has been edited it will be returned to Mr. Gange by the Conference Editor. Mr. Gange will then deliver the text to Mr. Ruebsam to be set in type.

To be noted by: Mrs. Angel, Mr. Gange and Mr. Ruebsam

13. Galley proofs will be delivered to Mr. Gange by Mr. Ruebsam. Mr. Gange will deliver the proofs to Translating and Interpreting Bureau for corrections in spelling and capitalization and subsequently to the Conference Editor for editorial corrections.

To be noted by: Mr. Ruebsam, Mr. Gange, Translating and Interpreting Bureau and Mrs. Angel

14. The four Commissions will meet to give their final approval to such portions of the Statute and Charter as fall within their jurisdiction. Executive officers of the Commissions will notify Mr. Gange of any changes made in any of the texts at these meetings and such changes will be sent to Mr. Gange, Office of the Executive Secretary, and will be signed by the President and the Executive Officer of the Commission. Mr. Darlington will be informed simultaneously of these changes.

To be noted by: The Executive Officers of the Commissions, Mr. Gange and Mr. Darlington

15. If changes are made in any of the texts in the Commission meetings, such changes will be translated and approved as outlined above in paragraphs 10 and 11. The galley proofs described under paragraph 13 will be corrected on the basis of these translations and when corrected will be delivered to Mr. Ruebsam for corresponding corrections in the type. The texts will then be printed in photo-



offset in the five official languages preparatory to final review of the Steering Committee.

To be noted by: Translating and Interpreting Bureau,  
Mr. Gange, Mr. Dawson, Mr. Ruebsam and the Secretariat  
for the Steering Committee

16. The Steering Committee will receive from Mr. Darlington the printed texts in photo-offset of the Charter, the Statute, and the Resolution for the Interim Commission in the five official languages. If changes are made in the texts in the Steering Committee, the procedure described under paragraphs 14 and 15 will be followed with the exception that the amended texts will be delivered to Mr. Gange by Mr. Darlington with the signature of the Chairman of the Steering Committee.

To be noted by: Mr. Darlington and Mr. Gange

17. Final action on the text of these three documents in the five official languages will take place in Plenary Sessions of the Conference. Printed copies in photo-offset of the documents will be submitted to the Conference in the five official languages, each document to be marked clearly as a "draft" for the approval of the Conference. These printed copies will be delivered by Mr. Burgess to Mr. Rothwell.

To be noted by: Mr. Burgess and Mr. Rothwell

18. Approved texts for the final printing of the three documents will be delivered to Mr. Ruebsam by Mr. Gange. The printed copies in specified form and number will be delivered to Mr. Burgess for Mr. Rothwell by Mr. Ruebsam.

To be noted by: Mr. Ruebsam, Mr. Gange, Mr. Burgess  
and Mr. Rothwell



# PROVISIONAL ARRANGEMENTS FOR THE INTERNATIONAL ORGANIZATION

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

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

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

4. The Commission shall:

- a. convoke the General Assembly in its first session;
- b. prepare the provisional agenda for the first sessions of the principal organs of the Organization, and prepare documents and recommendations relating to all matters on these agenda;
- c. formulate recommendations concerning the possible transfer of certain functions, activities, and assets of the League of Nations which it may be considered desirable for the new Organization to take over on terms to be arranged;
- d. formulate recommendations concerning the relationship to be established between specialized intergovernmental organizations and agencies and the Organization;



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

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

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

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

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

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

8. The Government of the United States of America shall be the temporary depository and shall have custody of the original document embodying these interim arrangements in the five official languages in which it is signed, for the purpose of furnishing certified copies thereof to each of the governments signatory to the Charter. Upon the appointment of the Executive Secretary, the Government of the United States of America shall transfer the custody of the original of this document to the Executive Secretary.

9. This document shall be effective beginning with the day on which it is first signed, and shall remain open for signature until the Commission is dissolved in accordance with paragraph 7.



7  
7/1  
May 4, 1945

MEMORANDUM

TO: Mr. Darlington

FROM: Rowena Rommel

SUBJECT: Questions of Interest Arising in Committee Meetings Today

1. Next Step in Moving Forward the Work of the Committees.

✓ Considerable uncertainty and difference of viewpoint were expressed in what the next step should be in moving forward the work of the Committees. In Committee III/1, France succeeded in pressing the view that a general exchange of views should take place at the next meeting, which was set for tomorrow morning (May 5).

✓ Also, in Committee III/4 the Chairman (Colombia) succeeded in pressing the view that there should first be an exchange of general viewpoint, and such a meeting was set for Monday (May 7). The opposing view put forward by several Delegates was that no progress can be made until all the amendments have been received and distributed.

✓ In Committees III/1 and III/2, Sub-Committees were appointed to start reviewing the amendments and reporting back to the Committees a comparison with the Dumbarton Oaks Proposals.

✓ Another viewpoint reported from another Committee was that it should be the function of the Rapporteur to study and report on amendments; i.e., that the Rapporteur's job is not a pro forma summary report of what transpires in meetings.

2. Question of Jurisdiction Between Commissions and Committees.

In Committee IV/1 the question was raised as to whether the enforcement of decisions by the International Court of Justice would come within the purview of that Committee or under the Security Commission. Considerable discussion took place as to whether the Committee itself could decide the question or whether the Chairman must bring the matter before the Steering Committee. It was concluded by authorizing the Chairman of the Committee to consult with the Chairman of his Commission, or "whatever proper authority," to settle the question. The Chairman obviously wished to hold the matter



try to get the paper  
within his own control, suggesting at one point that he would submit a plan in writing at the next meeting as to the coverage of the Committee.

3. Membership on Committees.

Several of the small countries raised the question of staggering Committee meetings in order that they might cover the meetings with their small number of Delegates.

✓  
Not so  
In Committee III/1 France raised the question as to whether only full Delegates are entitled to be members of Committees. The Chairman responded that each Delegation might settle that for itself; however, in Committee III/2 it was assumed that only Delegates would be entitled to be members of Committees. Some of the small countries requested that all of their Delegates be listed as members of the Committees in order that they might shift their attendance in accordance with the time and agenda of the several Committee meetings.

4. Voting Procedure.

✓  
In Committee IV/1 the members supported the Chairman in his suggestion that consideration of the four basic "gaps" in the report on the Jurists Meeting in Washington be postponed until the procedure for voting has been determined.

RR/eck



7c

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

May 3, 1945

MEMORANDUM

TO: Mr. Darlington

FROM: Mrs. Rommel

SUBJECT: Points of Interest in Commission II This Morning

OK

1. Chairman Smuts expressed concern that Commissions II and III may come up with conflicting recommendations; said it would have to be watched closely and that the two Commissions may have to meet together.

Status?

2. The omission of agenda proposals submitted subsequent to Dumbarton Oaks in the organization document was pointed out by several. Smuts asked that the Secretariat submit a supplementary document which more clearly defines the agenda before Commissions and Committees and the line of demarcation among them.

Exec Ctee  
Agenda

3. India asked that representatives of international organizations (ILO et al) be allowed to attend and participate in Committee meetings. Smuts indicated that the question had been taken up by the Steering Committee but no recommendation had gone as yet to the Plenary Session. India asked that the matter be placed on a Steering Committee Agenda. (Attached is sample copy of type of invitation sent these international organization.)

OK. After  
has given us  
a formula.

4. Mr. Smuts stated that it was his interpretation of the recommendation of the Steering Committee regarding submission of additional proposals on Dumbarton Oaks that the Friday date is not a hard and fixed deadline. He interpreted it as "a target to shoot at" and not a final deadline thus indicating that proposals may be submitted subsequent to that date.

RR/hmh



C O P Y

Rowena Room 324

DEPARTMENT  
OF  
STATE

O U T G O I N G  
T E L E G R A M

DIVISION OF  
CENTRAL SERVICES  
TELEGRAPH SECTION

April 11, 1945  
7 p.m.

PEM

This telegram must be  
paraphrased before being  
communicated to anyone  
other than a Government  
Agency. (RESTRICTED)

U.S. URGENT  
NIACT

AMEMBASSY,

LONDON.  
2629

Please inform the Secretary General of the League of Nations that this Government, as the host government, suggests that it would be helpful if the League were to be unofficially represented in San Francisco during the forthcoming United Nations Conference on International Organization. In view of wartime transportation and housing congestion it is requested that the representation of the League not exceed two or three persons. It is hoped that the representatives of the League will hold themselves available in San Francisco for informal consultation relating to matters that may arise during the course of the Conference and which would be of particular concern to the League. Arrangements would be made for these representatives to attend all public sessions of the Conference and the Department will be happy to assist in making train and hotel reservations when notified of the names of the representatives designated and of their desires in this respect.

O:JHTomlinson:mah  
4/10/45

STETTINIUS  
(AH)



Mr. Thomas

MEMORANDUM OF CONVERSATION

April 28, 1945

SUBJECT: Agenda for First Meeting of the Steering Committee

PARTICIPANTS: Serguei Mikhailov, Counselor of Soviet Embassy  
at Ankara; Deputy Secretary General of the  
U.S.S.R. Delegation,

Mr. John Ross

COPIES TO: Mr. Hiss  
Mr. Llewelyn Thomson

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Mr. Mikhailov called on me at 6:00 p.m. on April 27. He said that he had been instructed to inform me that a statement which he indicated Mr. Llewelyn Thomson had made to Mr. Sobolev, a Soviet Delegate, and to Mr. Novokov, Secretary General of the Soviet Delegation, at the first Steering Committee meeting, was incorrect. This statement purportedly was that Mr. Thomson had gone to the St. Francis Hotel on the evening of April 25 and had personally handed to Mr. Mikhailov the revised agenda for the first meeting of the Steering Committee which was held the following morning, April 26, at 10:30 in the Veterans Building. Mr. Mikhailov said that this was impossible since he had been working from six o'clock in the evening until early the following morning at the Russian Consulate General.

Mr. Mikhailov said that he was further instructed to inform me that the Soviet Delegation was very displeased that all of the other delegations had this revised agenda at the Steering Committee meeting while they did not.

JRoss:pef