

UNCIO - commissions & technical committees - Commission 4/committee 1
International Court of Justice - meetings

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Not used

Corrigendum

Summary Report of fifteenth meeting of Subcommittee IV/1, [A]
May 30, 1945

Add after paragraph 1, page 2: The Committee decided to postpone consideration of paragraph 1 ^(b) ~~D~~ and ^(c) ~~C~~ of the Venezuelan proposal, relating to the granting of advisory opinions at the request of intergovernmental international organizations, and at the request of two or more states, until action had been taken on this matter by Committee II/2.

NOTE: This corrigendum may belong to the 15th meeting of Commission IV/1 rather than Sub-Committee IV/1/A. See Sub-Committee IV/1/A Meetings File and compare with Commission IV/1 Meetings File

A. Castellanos 10/2/75
Archivist

Corrigendum

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May 30, 1945

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May 30, 1945

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COMMISSION IV Judicial Organization

Committee 1 International Court of Justice

AGENDA FOR FIFTEENTH MEETING OF COMMITTEE IV/1

MAY 30, 1945

- (1) Articles 65-68 of the Statute of the International Court of Justice.
- (2) Proposals for the Charter (Chapter VII) requiring compliance with the decisions of the Court.

Working document submitted by the Delegation of Cuba (WD 41, IV/1/48).

Working document submitted by the Delegation of Australia (Doc. 626, IV/1/47).

ORDRE DU JOUR DE LA QUINZIEME SEANCE DU COMITE IV/1

30 mai 1945

- (1) Articles 65-68 du Statut de la Cour Internationale de Justice
- (2) Propositions tendant à insérer dans la Charte (Chapitre VII) une disposition exigeant l'exécution par les Etats des décisions de la Cour.

Document de travail présenté par la Délégation de Cuba (WD 41, IV/1/48).

Document de travail présenté par la Délégation de l'Australie (Doc. 626, IV/1/47).

COMMISSION IV Judicial Organization

Committee I International Court of Justice

AJOUTE A L'ARTICLE 19 PROPOSEE PAR LES
DELEGATIONS DU MEXIQUE ET DE L'IRAN

- (1) Les agents et les conseillers des parties devant la cour jouiront des privilèges et immunités nécessaires a l'exercice indépendant de leurs fonctions.

ADDITION TO ARTICLE 19 PROPOSED BY THE
DELEGATIONS OF MEXICO AND IRAN

- (1) The agents and advisers of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Thirteenth Meeting of the Committee
May 26, 1945 10:30 a.m.

DECISIONS

1. The United States proposals for Paragraphs 4, 5, and 6 of Chapter VII of the Charter (corresponding to 3, 4 and 5 of Chapter VII of Dumbarton Oaks) were adopted. (See Doc. 509, IV/1/38 for text.)
2. It was understood that certain proposed additions to Chapter VII, dealing with compulsory jurisdiction, advisory opinions, and compliance with decisions of the Court, would be in order subsequently -- the first two when the appropriate sections of the Statute were under consideration, the last at the next meeting of the committee.
3. A paragraph proposed by the United Kingdom was adopted as paragraph 3 of Article 34, providing for notification of public international organizations when questions concerning them are before the Court (for text see Doc. 205, IV/1/13).

ATTENDANCE RECORD

Thirteenth Meeting of Committee IV/1, May 26, 1945

Chairman - Arturo Garcia (Peru)
Rapporteur: - N. Al-Farsy (Iraq)
Secretary - John Halderman (Secretariat)

AUSTRALIA	K. H. Bailey
ARGENTINA	Carlos Bollini Shaw
BELGIUM	Joseph Nisot
BOLIVIA	
BRAZIL	Antonio Camillo de Oliveira
BYELORUSSIAN S.S.R.	V. Formashev
CANADA	Warwick Chipman
CHILE	Miguel Cruchaga
COLOMBIA	Roberto Urdaneta
CHINA	Hsu Mo
COSTA RICA	Luis Anderson Morua
CUBA	Ernesto Dihigo
CZECHOSLOVAKIA	V. Benes
DOMINICAN REPUBLIC	Gilberto Sanchez Lustrino
ECUADOR	Neftali Ponce
EGYPT	H. B. Badawi
EL SALVADOR	J. Antonio Quiros
ETHIOPIA	Emmanuel Abraham
FRANCE	Jules Basdevant
GREECE	

GUATEMALA	G. Biguria
HAITI	
HONDURAS	Jorge Fidel Duron
INDIA	J. Bartley
IRAN	Mostafa Adle
IRAQ	Nasrat Al-Farsy
LEBANON	S. Mahmassani
LIBERIA	C. L. Simpson
LUXEMBOURG	Hugues Le Gallais
MEXICO	R. Cordova
NETHERLANDS	Star-Busmann
NEW ZEALAND	
NICARAGUA	Guillermo Sevilla Sacasa
NORWAY	Lars Jorstad
PANAMA	
PARAGUAY	
PERU	Arturo Garcia Luis Alvarado
PHILIPPINE COMMONWEALTH	F. A. Delgado Jose F. Imperial
SAUDI ARABIA	Sayed Jamil Daud
SYRIA	
TURKEY	Cemil Bilisel
UKRAINE	
UNION OF SOUTH AFRICA	J. R. Jordaan

U.S.S.R.	S. Golunsky
UNITED KINGDOM	William Malkin
U.S.A.	Green H. Hackworth
URUGUAY	
VENEZUELA	Gustavo Herrera
W. RUSSIA	
YUGOSLAVIA	T. V. Gjurgjevic

MEMORANDUM

May 26, 1945

To: Mr. Stewart
From: Mr. Padelford
Subject: Progress of Committee IV/1.

The work of Committee IV/1 falls into two categories: (1) Chapter VII of the Charter, and (2) the Statute of the proposed International Court of Justice.

Six paragraphs, covering the entire content of Chapter VII of the Dumbarton Oaks Proposals, have been approved. Several additional paragraphs have been proposed and remain to be considered by the Committee.

Sixty of the sixty-nine Articles of the Statute of the Court as submitted by the Washington Committee of Jurists have been approved. The principal remaining substantive question is that of jurisdiction, including compulsory jurisdiction and advisory opinions. From four to six more meetings will probably be needed to complete the work of Committee IV/1, depending on the length of debate and the difficulty of obtaining two-thirds majority on the essential texts.

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DECISIONS

Committee IV/1, Veterans Building, Room 202,
May 24, 1945, 8:50 p.m.

The following decisions were reached at the twelfth meeting of Committee 1 of Commission IV:

- (1) The Committee added to Article 42 the following provisions proposed by the Delegations of Mexico and Iran: "The agents and counsel of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties."
- (2) The Committee adopted an amendment to Article 3 providing that in case of doubt a person shall be deemed to possess the nationality of the country in which he ordinarily exercises civil and political rights.
- (3) The Committee adopted in toto the report of Subcommittee IV/1/C approving Articles 8-12 of the Statute (Doc. 558, IV/1/C/1) but made the following minor modifications:

The first word of the first line of Article 10 should be changed from "The" to "Any", and the first word of the third line of the same Article should be changed from "election" to "appointment."

The word "celle" in the second line of the French text of Article 10 (ibid) should be changed to "la nomination."

- (4) The Committee adopted the text of Article 4 contained on the left-hand side of the Document designated Jurist 82, G/69.
- (5) The Committee adopted the text of Article 5 contained on the left-hand side of the Document designated Jurist 82, G/69.
- (6) The Committee rejected the Chilean proposal that the words "bar associations" be inserted in the text of Article 6.

- (7) The Committee adopted the text of Article 6 contained on the left-hand side of the Document designated Jurist 82, G/69.
- (8) The Committee postponed until the next meeting consideration of Article 34 in view of the complexity of the issue raised by the second paragraph of the amendment proposed by Venezuela (Doc. 284, IV/24).

COMMITTEE IV/1, ELEVENTH MEETING,

May 23, 1945

DECISIONS

1. The Committee approved the principles of the compromise on election reported by the Subcommittee: (a) to retain "double election"; (b) to exclude the veto in voting of the Security Council in the elections.

2. It referred Articles 8-12 back to a Subcommittee for redrafting in the light of the Committee's discussion. The Subcommittee is composed of Belgium, Canada, Columbia, Mexico, New Zealand, U.S.S.R., and the Rapporteur.

3. It approved Article 14.

4. It approved Article 18, rejecting a proposal to require only a two-thirds vote of the court for removal.

5. It authorized the Chairman to repudiate a story in the San Francisco Chronicle that the South African Delegate had objected to the rules of procedure recommended by the Steering Committee in a meeting of this Committee.

ATTENDANCE RECORD

IV/1 Meeting, Veterans Building, Room 202, May 23, 3:30 p.m.

Chairman	Arturo Garcia (Peru)
Rapporteur	Nasrat Al-Farsy (Iraq)
Secretary	John W. Halderman (Secretariat)
AUSTRALIA	K. H. Bailey
BELGIUM	Joseph Nishot
BOLIVIA	Carlos Salamanca
BRAZIL	Antonio Camillo de Oliveira
CANADA	Warwick F. Chipman
CHINA	Hsu Mo
COLOMBIA	Roberto Urdaneta Arbelaez
CUBA	Ernesto Dihigo Lopez Trigo
COSTA RICA	Fabio Fournier Jimenez
CZECHOSLOVAKIA	Vaclav Benes
DOMINICAN REPUBLIC	Gilberto Sanchez Lustrino
ECUADOR	Neftali Ponce
EGYPT	Dr. H. B. Badawi
EL SALVADOR	J. Antonio Quiros
ETHIOPIA	Emmanuel Abraham
FRANCE	Jules Basdevant
GREECE	John Spiropoulos
GUATEMALA	Francisco Villagran
HAITI	Clovis Kernisan
HONDURAS	Virgilio R. Galvez
INDIA	J. Bartley
IRAN	Dr. Jalal Abdoh

IRAQ	Nasrat Al-Farsy (Rapporteur)
LEBANON	Soubhi Mahmassani
LIBERIA	C. L. Simpson
LUXEMBOURG	Alphonse Als
MEXICO	R. Cordova
NETHERLANDS	E. Star Busmann
NEW ZEALAND	Michael Myers
NORWAY	Lars J. Jorstad
PERU	Luis Alvarado
PHILIPPINES	F. A. Delgado
SAUDI ARABIA	Sayed Jamil Daud
SYRIA	Naim al-Antaki
TURKEY	Cemil Bilsel
UKRAINIAN SSR	Peter S. Bogrebniak
UNION OF SOUTH AFRICA	J. R. Jordan
USSR	S. A. Golunsky
UNITED KINGDOM	William Malkin
USA	Green H. Hackworth
VENEZUELA	Gustavo Herrera
YUGOSLAVIA	T. V. Gjurgjevic

DECISIONS OF THE COMMITTEE MEETING

May 22, 1945, 10:45 a.m.

Veterans Building, Room 314

The following decisions were reached at the tenth meeting of Committee I of Commission IV:

(1) The Committee adopted the text of Article 1 of the Charter proposed by Subcommittee IV/1/A (Doc. 477, IV/1/A/1) which reads as follows:

"(1) A tribunal to be called the International Court of Justice is hereby established as the principal judicial organ of the United Nations."

(2) The Committee agreed to change the French text of Article 1 of the Charter so as to conform with the English text by substituting the words "est institue par le present" for the words "sera cree" in the first line of the article.

(3) The Committee adopted the text of Article 2 of the Charter proposed by Subcommittee IV/1/A which reads as follows:

"(2) The Court shall be constituted and shall function in accordance with the annexed Statute which forms an integral part of the Charter of the United Nations."

(4) The Committee rejected a proposal by the Mexican representative to add in the first line of Article 3 of the Charter proposed by Subcommittee IV/1/A the words "or in the Statute" after the words "in this Charter".

(5) The Committee adopted the text of Article 3 of the Charter proposed by Subcommittee IV/1/A which reads as follows:

"(3) Nothing in this Charter shall prevent the parties from entrusting the solution of their differences to other Tribunals by virtue of agreements already in existence or which may be concluded in the future."

(6) The Committee rejected a proposal by the Belgian representative to change the word "sera" to "est" in the third line of Article 1 of the Statute proposed by Subcommittee IV/1/A.

(7) The Committee adopted the text of Article 1 of the Statute proposed by Subcommittee IV/1/A to read as follows:

"The International Court of Justice established by Charter VII of the Charter as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the following provisions."

(8) The Committee adopted the text of Article 37 of the Statute proposed by Subcommittee IV/1/A to read as follows:

"Whenever a treaty or convention in force between the parties to this Statute provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice established by the Protocol of December 16, 1920, amended September 14, 1929, the matter shall be referred to the International Court of Justice."

(9) It was agreed that the Committee would be governed by the rules of procedure regarding number of speakers and length of speeches which were adopted by the steering committee at its meeting of May 20, 1945.

ATTENDANCE AT TENTH MEETING OF COMMITTEE IV/1

May 22, 1945

Room 202, Veterans War Memorial Building

OFFICERS

Chairman:	Manual Gallagher (Peru)
Rapporteur:	N. Al-Farsy (Iraq)
Secretary:	John W. Halderman

Delegations present:

Belgium	Joseph Nisot
Brazil	Antonio Camillo de Oliveira
Canada	Warwick F. Chipman
Chile	Niguel Cruchaga
China	Hsu Mo
Colombia	Roberto Urdaneta Arbeláez
Cuba	Ernesto Dihigo
Czechoslovakia	Václav Benes
Dominican Republic	Gilberto Sanchez Lustrino
Ecuador	L. N. Ponce
Egypt	Hilmy Bahghat Badawi
El Salvador	J. Antonio Quiros
Ethiopia	Ato Emmanuel Abraham
France	Jules Basdevant
Greece	N. Gazis
Guatemala	Gabriel Biguria

Haiti	C. Kernisan
Honduras	Virgilio R. Galvez
India	J. Bartley
Iran	Jalal Abdoh
Lebanon	S. Mahmassani
Liberia	C. L. Simpson
Luxembourg	-
Mexico	Roberto Gordova
Netherlands	E. Star-Busmann
New Zealand	Sir Michael Myers
Nicaragua	Mariano Arguello Vargas
Norway	Lars J. Jorstad
Peru	Luis Alvarado
Philippine Commonwealth	F. A. Delgado G. S. Imperial
Saudi Arabia	Jamil Daud
Turkey	Cemil Bilisel
Ukraine	Peter S. Pogrebnyak
Union of South Africa	J. R. Jordaan
U.S.S.R.	S. Golunsky
United Kingdom	Sir William Malkin
U.S.A.	Green H. Hackworth
Uruguay	José A. Mora Otero
Venezuela	Gustavo Herrera
Yugoslavia	Theodore Gjurgjevic

(2) The Court shall be constituted and shall function in accordance with the annexed Statute which forms an integral part of the Charter of The United Nations.

(3) Nothing in this Charter shall prevent the parties from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

← 5. Comments on the Proposed Report to the Committee

Decisions: The Subcommittee decided that:

(a) In line 6, paragraph 1, page 1 of the report the word "raised" shall be substituted for the word "comprised".

← (b) In line 1, paragraph 2, page 1 of the report the words "add also to" shall be substituted for the word "must".

← (c) The first sentence, paragraph 3, page 1, should read:

"The Committee recommends that a new court be created. In reaching this conclusion it was influenced by the following considerations:"

← (d) The 13th line of paragraph (a), page 3 which reads:

"transfer its properties and funds to the new one", should be deleted.

← (e) ~~That~~ in line 23, paragraph (2), page 3, the word "organization" should be deleted.

← (f) ~~That~~ the following paragraph should be added on page 4 under the designation (c):

Another point is that of the fate of the existing signatures of the "optional clause" which, of course, has reference to the old Court. The Committee discussed this point, but as it will come up in connection with the question of compulsory jurisdiction in Article 36, it did not think it necessary to deal with it here.

don't underline

6. French Draft of the Proposed Report to the Committee

Decision: The Subcommittee decided that the delegate of France shall prepare the French draft of the proposed report to the Committee.

9

The meeting was adjourned at 10:30 a.m.

DECISIONS OF THE SUBCOMMITTEE MEETING

May 21, 1945, 9:45 a.m.

Room 219, Veterans War Memorial Building

- (1) The Subcommittee approved the texts of Articles 1 and 37 of the draft Statute which will be recommended to the Committee for adoption.
- (2) The Subcommittee approved the texts of paragraphs 1, 2, and 3 of Chapter VII of the Dumbarton Oaks Proposals which will be recommended to the Committee for adoption.
- (3) The Subcommittee approved the text of its proposed report recommended the creation of a new court and containing the draft of Articles 1 and 37 of the draft Statute and of paragraphs 1, 2, and 3 of the Dumbarton Oaks Proposals.
- (4) The delegate of France was asked to prepare the French draft of the report to be submitted to the Committee.

DECISIONS OF THE SUBCOMMITTEE MEETING

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Room 219, Veterans War Memorial Building

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COMMITTEE IV/1

May 19, 1945

ARTICLES APPROVED BY
COMMITTEE

2	26
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7	28
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15	32
16	33
17	35
19	39 through 64
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ARTICLES NOT APPROVED
BY COMMITTEE

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COMMITTEE IV/1

May 19, 1945

ARTICLES APPROVED BY
COMMITTEE

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ARTICLES NOT APPROVED
BY COMMITTEE

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RESTRICTED

COMMISSION IV, SUBCOMMITTEE I/A

Fourth Meeting of Subcommittee

May 18, 1945

DECISIONS

I. The Subcommittee reached the following decisions:

- (a) That Chapter VII of the Charter should contain the provision establishing the Court, carrying out the Subcommittee's recommendation that the Court should be a new one.
- (b) That Article 1 of the Statute should contain a simple statement to the effect that the Court referred to in Chapter VII of the Charter should function in accordance with the provisions of the Statute.
- (c) That there should be, either in Chapter VII or in Article 1, a statement that resorts to other tribunals is not excluded. (Venezuelan draft, Doc. 282.)
- (d) That Article 37 of the Statute should be modified to provide that, as between parties to the new Statute, references in treaties to the P.C.I.U. should be taken to mean the new court. (To follow Venezuelan proposal in Doc. 282, IV/1/22, striking out the word "signatory" and the words "or the United Nations.")
- (e) That the Subcommittee should present a report stating not only its conclusion but its reasons therefor, and the advantages and disadvantages of each of the alternatives it had considered. Suggestions along these lines had been drafted by the Australian and United Kingdom delegates and it was understood that these were to be incorporated in the report, which the Chairman would prepare and present to the Subcommittee tomorrow.
- (f) That there should be attached to the report suggested drafts of Chapter VII of the Charter and Article 1 of the Statute in accordance with paragraphs (a), (b), (c) and (d) above.

Proposal Regarding Subcommittee Report
Submitted by the United Kingdom.

THE UNITED NATIONS CONFERENCE

ON INTERNATIONAL ORGANIZATION

14/1/45

5/18/45-

In submitting its recommendation that a new Court should be established, the Sub-Com feels it desirable to point out in a general way certain consequences which will follow from it & which it does not seem possible to avoid. The old Court is at present in existence; it has a seat, buildings & properties at the Hague; there are in all probability funds, & also judges & officials. The creation, for the purposes of the new Organization, of a new Court, & as between the members of the U.N., will not ~~of~~ ^{of itself} ~~cause~~ in any way affect, ~~itself~~, the old Court, nor put an end to the existence of the latter. Since, however, it is impossible to contemplate the existence of two World Courts, each with their seat at the Hague, it is clear that at the earliest possible moment steps will have to be taken to bring the old Court to an end, transfer its properties & funds to the new one & make adequate provision for pensioning its judges & officials in so far as these are not elected or transferred to the new Court. Provision will also have to be made for continuing to pay the pensions already accrued to ^{former} judges & officials of the old Court. It would not be possible in this Report to go into all the details of this matter or to suggest the means of dealing with it. But it is one which will require to be dealt with by

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Whatever means are considered to be suitable, e.g.,
by the ^{U.N.} ~~U.N.~~ Organization entering into negotiations
with the old Court and the various non-enemy
States who ~~belong~~ ^{belong} to it but are not members
of the U.N.

Another important point is that of the
numerous treaties which specify the old Court
as the Court to which disputes as to the
~~interpretation~~ interpretation or application of the
treaty are to be referred. So far as members
of the U.N. are concerned, it could be provided
in Art. 37 of the revised Statute that any
references to ~~the~~ ^{the old} Court shall henceforth, as
between members of the U.N., be deemed to be
references to the new Court. But this rule not,
of itself, affect the position as between members
of the U.N. & non-members, & in such cases
the old Court would remain the one to which
the treaty concerned had reference. This would
obviously create an impossible situation, for in
theory it could easily result that a dispute
under a given Treaty, affecting both members
& non-members of the U.N., might

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Simultaneously have to be referred to two different world courts which might give divergent decisions. From a purely practical point of view this problem would be solved by the disappearance of the old Court as a result of the action suggested above. But some time may elapse before this takes place. It would seem desirable therefore that negotiations should be entered into between the parties to the various treaties concerned, in order to arrive at a general agreement for the reference of any disputes to the new Court. The ^{General} Assembly of the new Organization might be asked to undertake the conduct of these negotiations on behalf of its members, or at any rate to create machinery for facilitating them.

There may well be other points of a similar character ~~arising from~~ ^{which would arise} a decision to create a new Court, but the present Report does not seek to do more than draw attention to the subject. ~~in a general way~~

DECISIONS OF THE COMMITTEE MEETING

May 18, 1945, 3:30 p.m.

Veterans Building, Room 202

The Committee decided to appoint a subcommittee consisting of the representatives of Canada and Mexico to study Articles 4 to 12 of the draft Statute of the International Court of Justice, which deals with the election of judges, and to report to the Committee.

DECISIONS OF THE COMMITTEE MEETING
May 12, 1945, 10:50 A.M.
ROOM 202, VETERANS WAR MEMORIAL BUILDING

The following decisions were reached at the eighth meeting of Committee 1 of Commission IV;

- (1) The Committee approved the present system of nominating judges by national groups as expressed in the left column of Article 4 of the Draft Statute.

The vote was 32 to 7 in favor of the present system.

ATTENDANCE RECORD

FOURTH MEETING OF COMMITTEE IV/1/A, MAY 18, 1945
9:30 a.m.

AUSTRALIA	K. H. Bailey
BRAZIL	A. C. de Oliveira
CHINA	Hsu Mo
CUBA	Ernesto Dihigo
FRANCE	Jules Basdevant
GREECE	Nicolas Gazis
IRAQ	Nasrat Al-Farsy
MEXICO	Roberto Cordova
PERU	Manuel Gallagher
U.S.S.R.	S. A. Golunsky
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

ATTENDANCE RECORD

FOURTH MEETING OF COMMITTEE IV/1/A, MAY 18, 1945
9:30 a.m.

AUSTRALIA	K. H. Bailey
BRAZIL	A. C. de Oliveira
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IRAQ	Nasrat Al-Farsy
MEXICO	Roberto Cordova
PERU	Manuel Gallagher
U.S.S.R.	S. A. Golunsky
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Subcommittee IV / 1 / A

Fourth meeting May 18, 1945

9³⁰ am
Room 219

Attendance record

Australia	-	K. H. Bailey
Brazil	-	A. C. de Oliveira
China	-	Hsu Mo
Cuba	-	Ernesto Delgado
France	-	Jules Basdevant
Greece	-	Nicolas Gazi
Iraq	-	Nasrat al-Faraj
Mexico	-	Roberto Cordova
Peru	-	Manuel Gallagher
USSR	-	S. A. Gromsky
UK	-	G. C. Fitzmaurice
USA	-	Green H. Hackworth

ATTENDANCE REPORT

SECOND MEETING OF SUBCOMMITTEE IV/1/D

May 29, 1945

Chairman
Rapporteur

Arturo García
N. Al-Farsy

AUSTRALIA	K. H. Bailey
BELGIUM	Joseph Nisot
CANADA	Warwick Chipman
CHILE	Miguel Cruchaga
CHINA	Hsu Mo
MEXICO	Roberto Córdova
NETHERLANDS	E. Star Busmann
U.S.S.R.	S. A. Golunsky
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth Tom Connally H. C. Stassen
NEW ZEALAND	Michael Myers

ATTENDANCE AT NINTH MEETING OF COMMITTEE IV/1

Friday, May 18, 1945
3:30 p.m.

Room 202, Veterans War Memorial Building

Officers

Chairman:	Manual Gallagher (Peru)
Rapporteur:	N. Al-Farsy (Iraq)
Secretary:	John W. Halderman

Delegations present:

Argentina	Oscar Ibarra Garcia
Australia	K. H. Bailey
Belgium	Joseph Nisot
Bolivia	Carlos Salamanca
Brazil	Antonio Camillo de Oliveira
Byelorussian S. S. R.	V. Formashov
Canada	Warwick F. Chipman
Chile	Niguel Cruchaga
China	Hsu Mo^
Colombia	Roberto Urdaneta Arbeláez
Costa Rica	Luis Anderson Morua
Cuba	Ernesto Dihigo
Czechoslovakia	Václav Benes
Dominican Republic	Gilberto Sanchez Lustrino
Ecuador	Neftali Ponce
Egypt	Hilmy Bahghat Badawi
El Salvador	J. Antonio Quiros

Ethiopia	Ato Emmanuel Abraham
France	Jules Basdevant
Greece	John Spiropoulos
Guatemala	Gabriel Biguria
Haiti	Clovis Kernisan
Honduras	Virgilio R. Galvez
India	John Bartley
Iran	Jalal Abdoh
Iraq	Nasrat Al-Farsy
Lebanon	Soubhi Mahmassani
Liberia	C. L. Simpson
Luxembourg	Hugues Le Gallais
Mexico	Roberto Cordova
Netherlands	E. Star-Busmann
New Zealand	Sir Michael Myers
Nicaragua	M. Caupes
Norway	Lars J. Jorstad
Panama	
Paraguay	Cesar R. Acosta
Peru	Manuel C. Gallagher Arturo Garcia
Philippines	F. A. Delgado
Saudi Arabia	Jamil Daud
Syria	Naim al-Antaki
Turkey	Cemil Bilisel
Ukraine	Peter S. Pogrebnyak

U. of S. Africa	J. R. Jordaan
U. S. S. R.	S. Golunsky
United Kingdom	Sir William Malkin
U. S. A.	Green H. Hackworth Tom Connally
Uruguay	José A. Mora Otero
Venezuela	Gustavo Herrera
Yugoslavia	Theodore Gjurgjevic

Observers for the Permanent Court
of International Justice:

Manley O. Hudson

ATTENDANCE AT MEETING OF COMMITTEE IV/1

Thursday, May 17, 1945, 10:30 a.m.

Officers

Chairman:
Rapporteur:
Secretary

Manuel Gallagher (Peru)
N. Al-Farisy (Iraq)
John W. Halderman

Argentina	Oscar Ibarra Garcia
Australia	K. H. Bailey
Belgium	Charles De Visscher
Bolivia	Carlos Salamanea
Brazil	Antonio Camillo de Oliveira
Canada	Warwick F. Chipman
Chile	Niguel Cruchaga
China	Hsu Mo
Colombia	Roberto Urdaneta Arbeláez
Costa Rica	Luis Anderson Morua
Cuba	Ernesto Dihigo
Czechoslovakia	Václav Benes
Dominican Republic	
Ecuador	Neftali Ponce
Egypt	Hilmy Bahgat Badawi
El Salvador	J. Antonio Quiros
Ethiopia	Ato Emmanuel Abraham
France	Jules Basdevant
Greece	Nicholas Gazis

Guatemala	Gabriel Biguria
Haiti	Clevis Kernisan
Honduras	Virgilio R. Galvez
India	John Bartley
Iran	Jalal Abdoh
Iraq	Nasrat Al-Farsy
Lebanon	Soubhi Mahmassani
Liberia	C. L. Simpson
Luxembourg	Hugues Le Gallais
Mexico	Roberto Cordova
Netherlands	E. Star-Busmann
New Zealand	Sir Michael Myers
Nicaragua	Mariano Argüello Vargas
Norway	Lars J. Jorstad
Panama	
Paraguay	Celso R. Velázquez
Peru	Manuel C. Gallagher Arturo García
Philippines	Jose F. Imperial
Saudi Arabia	
Syria	Naim al-Antaki
Turkey	Cemil Bilisel
Ukraine	Peter S. Pogrebniak
U. of S. Africa	J. R. Jordaan
U.S.S.R.	S. B. Krylov

United Kingdom

Sir William Malkin

U.S.A.

Green H. Hackworth

Uruguay

José A. Mora Otero

Venezuela

Gustavo Herrera

W. Russia

Yugoslavia

Theodore Gjurgjevic

ATTENDANCE RECORD

FOURTH MEETING OF COMMITTEE IV/1/A, MAY 18, 1945
9:30 a.m.

AUSTRALIA	K. H. Bailey
BRAZIL	A. C. de Oliveira
CHINA	Hsu Mo
CUBA	Ernesto Dihigo
FRANCE	Jules Basdevant
GREECE	Nicolas Gazis
IRAQ	Nasrat Al-Farsy
MEXICO	Roberto Cordova
PERU	Manuel Gallagher
U.S.S.R.	S. A. Golunsky
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

ATTENDANCE AT MEETING OF COMMITTEE IV/1/A

Thursday, May 17, 1945, 9:30 a.m.

Australia	K. H. Bailey
Brazil	Antonio Camillo de Oliveira
China	Hsu Mo
France	Jules Basdevant
Greece	Nicholas Gazis
Iraq	Nasrat Al-Farsy
Mexico	Roberto Cordova
Peru	Manuel Gallagher
U.S.S.R.	S. B. Krylov
United Kingdom	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

DECISIONS OF THE SUBCOMMITTEE MEETING

May 17, 1945, 9:40 a.m.

Veterans Building, Room 219

The following decisions were reached at the third meeting of Committee IV/1/A:

- (1) The Subcommittee, after debate of Article 1 of the Draft Statute, approved the creation of a new court rather than the modification of the Permanent Court of International Justice. The vote was 7 to 3.

The following voted for a new court:
U. S., U.S.S.R., Greece, Australia,
Peru, China, Cuba.

The following voted to modify the existing court: Brazil, France, the United Kingdom.

- (2) The Subcommittee is to meet Friday, May 18, 1945, at 9:30 a.m., to draft Article 1 in accordance with its decision.

DECISIONS OF THE SUBCOMMITTEE MEETING

May 17, 1945, 9:40 a.m.

Veterans Building, Room 219

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IV/1/A

DECISIONS OF THE SUBCOMMITTEE MEETING

May 17, 1945, 9:40 a.m.

Veterans Building, Room 219

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Peru, China, Cuba.

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- (2) The Subcommittee is to meet Friday, May 18, 1945, at 9:30 a.m., to draft Article 1 in accordance with its decision.

ATTENDANCE AT MEETING OF COMMITTEE IV/1/A

Thursday, May 17, 1945, 9:30 a.m.

Australia	K. H. Bailey
Brazil	Antonio Camillo de Oliveira
China	Hsu Mo
France	Jules Basdevant
Greece	Nicholas Gazis
Iraq	Nasrat Al-Farsy
Mexico	Roberto Cordova
Peru	Manuel Gallagher
U.S.S.R.	S. B. Krylov
United Kingdom	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

ATTENDANCE AT MEETING OF COMMITTEE IV/1/A

Thursday, May 17, 1945, 9:30 a.m.

Australia	K. H. Bailey
Brazil	Antonio Camillo de Oliveira
China	Hsu Mo
France	Jules Basdevant
Greece	Nicholas Gazis
Iraq	Nasrat Al-Farsy
Mexico	Roberto Cordova
Peru	Manuel Gallagher
U.S.S.R.	S. B. Krylov
United Kingdom	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

ATTENDANCE AT MEETING OF COMMITTEE IV/1/A

Thursday, May 17, 1945, 9:30 a.m.

Australia	K. H. Bailey
Brazil	Antonio Camillo de Oliveira
China	Hsu Mo
France	Jules Basdevant
Greece	Nicholas Gazis
Iraq	Nasrat Al-Farsy
Mexico	Roberto Cordova
Peru	Manuel Gallagher
U.S.S.R.	S. B. Krylov
United Kingdom	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

ATTENDANCE AT MEETING OF COMMITTEE IV/1/A

Thursday, May 17, 1945, 9:30 a.m.

Australia	K. H. Bailey
Brazil	Antonio Camillo de Oliveira
China	Hsu Mo
France	Jules Basdevant
Greece	Nicholas Gazis
Iraq	Masrat Al-Farsy
Mexico	Roberto Cordova
Peru	Manuel Gallagher
U.S.S.R.	S. B. Krylov
United Kingdom	G. G. Fitzmaurice
U.S.A.	Green H. Hackworth

Subcommittee IV / 1 / A

~~See~~ Third Meeting, Thursday, May 17, 1945

Argentina

9 30 a.m.

Room 219

Australia

K. H. Bailey

Belgium

Bolivia

Brazil

Antonio Camillo de Oliveira

Canada

Chile

China

Hsu Mo

Colombia

Costa Rica

Cuba

Czechoslovakia

Dominican Republic

Ecuador

Egypt

El Salvador

Ethiopia

France

Julio Basdevant

Greece

Nicolas Jaxis

Guatemala

Haiti

Honduras

India

Iran

Iraq

Nasrat Al-Farisy

Lebanon

Liberia

Luxembourg

Mexico

Roberto Cordova

Netherlands

New Zealand

Nicaragua

Norway

Panama

Paraguay

Peru

Manuel Gallagher

Philippines

Saudi Arabia

Syria

Turkey

Ukraine

Union of South Africa

U.S.S.R.

S. B. Key loo

United Kingdom

G. G. Fitzmaurice

U.S.A.

Green H. Hackworth

Uruguay

Venezuela

U. Russia

Yugoslavia

DECISIONS

Second Meeting of Committee IV/1/A on Articles
1 and 37 - May 16, 1945, 2:30 p.m.

The Subcommittee reached the following
decisions:

None

DECISIONS

Second Meeting of Committee IV/1/A on Articles
1 and 37 - May 16, 1945, 2:30 p.m.

The Subcommittee reached the following
decisions:

None

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Commission IV, Committee I/A

Decisions.

Second meeting of the Subcommittee on
Articles 1 and 37. May 16, 1945. 2:30 p.m.

The subcommittee reached the following
decisions:

None.

ATTENDANCE LIST

MEETING OF COMMITTEE IV/1/A, May 15, 1945

AUSTRALIA	K. H. Bailey
CHINA	Hsu Mo
CUBA	Ernesto Dihigo
FRANCE	Jules Basdevant Charles Chaumont
IRAQ	Nasrat Al-Farsy Abdul Majid Abbas
MEXICO	Roberto Cordova
PERU	Manuel C. Gallagher
U.S.S.R.	S. A. Golunsky S. B. Krylov
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green Hackworth Charles Fahy Philip C. Jessup

Attendance List

Meeting of Subcommittee of Committee IV/
Tuesday, May 15, 1945
5 p.m. - Room 219.

Australia

Prof. K. H. Bailey

China

Hsu Mo

Cuba

Ernesto Dihigo

France

Jules Budevant
Charles Chaumont

Iraq

Nasrat al-Farsy, ~~Secretary~~
Abdul Majid Abbas

Mexico

Roberto Córdova

Peru

Mamuel C. Gallagher,
Chairman

United Kingdom

G. G. Fytymaurice

U. S. A.

Green Hackworth
Charles Faley
Philip C. Jessup

U. S. S. R.

S. A. Golunsky

S. B. Krylov

Veterans Building, Room 219, May 15, 1945, 5:00 p.m.

The meeting was convened by the Chairman who announced that the business of the subcommittee was to recommend draft provisions of Article 1 and Article 37.

1. Determination of Functions of Subcommittee

The discussion opened with a recommendation that the subcommittee prepare a statement of the technical advantages and disadvantages of continuing the old court or creating a new court without indicating

an opinion. After short discussion, ^{the subcommittee decided that} the Chairman submitted the question ^{it should present a definite recommendation to the} to a vote and the decision was unopposed that the subcommittee should ^{committee IV/1 for the retention of the old court or the establishment} outline the advantages and disadvantages of the alternative proposals ^{of a new one.} and indicate clearly which alternative was favored.

The Chairman made it clear that he would welcome the views of the Big Powers since the question was fundamentally a political question.)

2. Statements of Advantages and Disadvantages of Continuity

After the Chairman recognized the Australian Delegation, the

French delegate ^{summed up} was called upon to develop the juridical difficulties underlying the question, and thereafter delegations were recognized ^{indicated that he felt that it} in the order of their request. ^{would be desirable to retain the old court. The United}

^{Kingdom associated itself with the same view, in view of the} Australia and the U.S.S.R. favored the creation of a new court; ^{delegates of the U.K. foresaw a possible danger of} France and the U.K. favored continuance of the old; China, Peru, Cuba, Mexico, and the United States remained ^{undetermined pending development} uncertain, chiefly because of the political reasons existing against continuity.

The delegate of ^{the} U.S.S.R. indicated the political issues involved, pointing out that non-member states allowed to participate in the permanent court under Section 5, Chapter VII, shared all the rights

The meeting was convened at the Veterans Building, Room 211, May 12, 1946, 3:00 P.M. The meeting was convened at the Veterans Building, Room 211, May 12, 1946, 3:00 P.M. The meeting was convened at the Veterans Building, Room 211, May 12, 1946, 3:00 P.M.

1. Determination of the Subcommittees

The discussion opened with a recommendation that the subcommittee prepare a statement of the medical advantages and disadvantages of continuing the old court or creating a new court without limitation.

After a brief discussion, the Chairman stated the question in opening the discussion on the substantive issue, ~~invited an expression of views from the Chairman~~ ~~the Chairman expressed the view that in general~~ ~~he was inclined to join the creation of a new court,~~ ~~but said that he would be glad to hear the views~~ ~~of the delegate represented on the subcommittee.~~ ~~His views since the question was fundamentally a political question.~~

2. Statement of Advantages and Disadvantages of Continuation

After the Chairman requested the Australian delegation, the French delegation and asked them to answer the question of the advantages and disadvantages of continuing the question, and thereafter the delegation was requested in the order of their request. Australia and the U.S.S.R. favored the creation of a new court; France and the U.S. favored continuation of the old court; China, Cuba, Mexico, and the United States remained neutral, chiefly because of political reasons existing within their countries. The delegate of U.S.S.R. indicated the point of French position, pointing out that no member stated allowed to participate in the permanent court under Article 2, Chapter VII, except all the states

and privileges of member states with regard to the nomination and election of judges, etc., and these privileges probably would not be accorded certain neutrals. In addition, it was pointed out that all states could on request submit justiciable disputes to the court and this view would support the principle of giving the court the widest possible jurisdiction without encountering ^{political} opposition.

The meeting was adjourned at 7:30 p.m. to await instructions from the respective governments of the members before voting. The Secretary announced the time of the next meeting would be at 2:30 p.m., May 16.

DECISIONS OF THE SUB-COMMITTEE MEETING

May 15, 1945 - 5:20 PM

Room 219 - Veterans Bldg.

The following decisions were reached at the first meeting of Sub-Committee IV/1/a:

1. The Sub-Committee decided as a method of procedure that each government should express a definite opinion on the question of whether the International Court of Justice should be the present permanent Court of International Justice or a new court.
2. The Sub-Committee decided to hold its next meeting Wednesday, May 16, 1945, at 2:30 PM, for the specific purpose of voting on the continuity of the court question.

DECISIONS OF THE COMMITTEE MEETING

May 14, 1945, 10:30 a.m.

Veterans Building, Room 314.

The following decisions were reached at the seventh meeting of Committee 1 of Commission IV:

(1) The Committee referred Article 1 and the related Article 37 of the draft Statute of the International Court of Justice to a subcommittee consisting of the Chairman of the Committee, the Rapporteur of the Committee and representatives of the following countries: Australia, Brazil, China, Cuba, France, Greece, Mexico, United Kingdom, United States, and U.S.S.R.

(2) The Committee agreed not to enter into a discussion of the amendment to Article 2 of the draft Statute suggested by the Egyptian representative.

(3) Article ¹3 of the draft Statute as approved by the Committee of Jurists was adopted.

(4) The Committee decided that the next meeting of the Committee shall begin with a discussion of Articles 4, 5, and 6 of the draft Statute.

ATTENDANCE AT MEETING OF COMMITTEE IV/1

Monday, May 14, 1945, 10:30 a.m.

Officers

Chairman: Manuel Gallagher (Peru)
Rapporteur: N. Al-Farsy (Iraq)
Secretary: John W. Halderman

Argentina	
Australia	K. H. Bailey
Belgium	M. Chas. De Visscher
Bolivia	Carlos Salamanea
Brazil	Camillo de Oliveira
Canada	Warwick F. Chipman
Chile	Miguel Cruchaga
China	Hsu Mo
Colombia	Roberto Urdaneta Arbálaez
Costa Rica	
Cuba	Ernesto Dihigo
Czechoslovakia	Vaclav Benes
Dominican Republic	Hilberto Sanchez Lustrino
Ecuador	Neftali Ponce
Egypt	Hilmy Bahghat Badawi
El Salvador	J. Antonio Quiros
Ethiopia	
France	M. Basdevant
Greece	Nicholas Gazis
Guatemala	Gabriel Biguria

Haiti	Clovis Kernisan
Honduras	Virgilio R. Galvez
India	J. Bartley
Iran	Jalal Abdoh
Iraq	Nasrat Al Farsy
Lebanon	Soubhi Mahmassani
Liberia	C. L. Simpson
Luxembourg	Hugues Le Gallais
Mexico	Roberto Cordova
Netherlands	E. Star-Busmann
New Zealand	Sir Michael Myers
Nicaragua	Guillermo Sevilla Sacasa
Norway	Lars J. Jorstad
Panama	
Paraguay	
Peru	
Philippines	Jose F. Imperial
Saudi Arabia	
Syria	Naim al-Antaki
Turkey	Cemil Bilsel
Ukraine	Peter S. Pogrebniak
Union of South Africa	J. R. Jordaan
U.S.S.R.	S. B. Krylov

United Kingdom	Sir William Malkin
U.S.A.	Tom Connally Green H. Hackworth
Uruguay	J. A. Mora Otero
Venezuela	Gustavo Herrera
W. Russia	
Yugoslavia	Theodore Gjurgjevic
Permanent Court of Justice (Observers)	J. Gustavo Guerrero Manley O. Hudson

NOTE: COMMITTEE IV/2.

Conference Journal, May 15, page 64, states that Committee III/2 agreed to accept the suggestion of the Bolivian delegate that further action in that Committee on paragraph 2, Chapter VIII, Section A, of the Dumbarton Oaks Proposals (Peaceful Settlement; Respect for Treaties) be postponed pending consideration of the matter by Committee IV/2 within whose terms of reference the subject matter of this amendment was believed to come.

According to the Executive Officer of Commission III, there was no explicit assumption in Committee III/2 that Committee IV/2 will take up this paragraph. The Executive Officer believes that the Bolivian suggestion was essentially a face-saving device in order to avoid the necessity of having to formally withdraw at that time from a position taken in the Committee.

There seems to be no need for Committee IV/2 to discuss this paragraph.

May 12, 1945

MEMORANDUM

To: Mr. Padelford
From: Mr. Dickinson
Subject: Progress Report of Committee IV/2

1. Following the organization meeting on May 5, the Committee has held three meetings to consider substantive items appropriate to its agenda. At the meeting on May 10, the Committee reached agreement in principle on the problem of Privileges and Immunities. At the meeting on May 11, the Committee reached agreement in principle on the problem of Registration and Publication of Treaties and International Agreements.

(a) These topics have been referred to a subcommittee consisting of Belgium, Colombia, France, Iran, New Zealand, Norway, Philippine Commonwealth, United Kingdom, U.S.A., U.S.S.R., and Venezuela. The delegate from Colombia was designated as Rapporteur of the Committee. The Chairman of Committee IV/2 will serve as Chairman of the subcommittee. The subcommittee's initial meeting is scheduled for Monday, May 14, at 8:30 p.m.

2. At the meeting on May 12, the Committee considered Obligations Inconsistent with the Charter of the United Nations Organization. Following conclusion of the discussion of this item at the next meeting of the Committee, it is anticipated that this topic will also be referred to the same subcommittee.

3. Problems remaining to be discussed by Committee IV/2 are: (a) the Reconsideration of Treaties, (b) the Development of International Law, (c) the Coming into Force of the Charter, and (d) the Relations with the League of Nations. It is anticipated that the Reconsideration of Treaties may be referred to the subcommittee already created.

4. It is anticipated that a second subcommittee may be created later to draft proposals relating to the Development of International Law, the Coming into Force of the Charter, and Relations with the League of Nations.

5. To date there appear to have been no conflicts of jurisdiction over substantive problems considered by Committee IV/2 with other committees.

6. No procedural difficulties have arisen to date in the course of the Committee's discussions.

7. It is estimated that the preliminary disposition of matters pending before the Committee may require further meetings as follows:

(a) One meeting to complete the discussion of Obligations Inconsistent with the Charter and to take up and complete discussion of the Reconsideration of Treaties;

(b) One meeting for the discussion of the Development of International Law and the Coming into Force of the Charter;

(c) One meeting for the discussion of Relations with the League of Nations.

(d) It is further estimated that subcommittee 1 may require three meetings for the discharge of its functions and that the second subcommittee will in all probability require two meetings.

(e) It would appear likely that two or three additional meetings of the entire committee may be required for consideration of the reports of the two subcommittees and appropriate action thereof.

There is thus anticipated a total of not less than five or six meetings of the whole committee and perhaps five meetings of the two subcommittees. If the meetings noted are held only at the regularly scheduled hours it will thus require the better part of the next two weeks to dispose finally of the problems which are apparently coming to Committee IV/2.

ATTENDANCE LIST

MEETING OF COMMITTEE IV/1/A, May 15, 1945

AUSTRALIA	K. H. Bailey
CHINA	Hsu Mo
CUBA	Ernesto Dihigo
FRANCE	Jules Basdevant Charles Chaumont
IRAQ	Nasrat Al-Farsy Abdul Majid Abbas
MEXICO	Roberto Cordova
PERU	Manuel C. Gallagher
U.S.S.R.	S. A. Golunsky S. B. Krylov
UNITED KINGDOM	G. G. Fitzmaurice
U.S.A.	Green Hackworth Charles Fahy Philip C. Jessup

DECISIONS OF THE COMMITTEE MEETING

May 11, 1945, 5:17 p.m.

Room 303, Veterans War Memorial Building

The following decisions were reached at the sixth meeting of Committee 1 of Commission IV:

- (1) The Committee approved Chapter III (procedure) of the Draft Statute of the International Court of Justice which contains Articles 39 through 64.
- (2) Discussion of Chapter IV (advisory opinions) of the Draft Statute which contains Articles 65 through 68 was postponed.
- (3) Discussion of Chapter V (amendment) of the Draft Statute containing Article 69 was postponed.

COMMISSION IV - COMMITTEE 1
DECISIONS OF THE FOURTH COMMITTEE MEETING
MAY 9, 1945

The following decisions were taken at the fourth meeting of Committee 1 of Commission IV:

- (1) To take up each article in turn after Article 13, postponing until after the initial reading of the entire Statute any article on which any delegate desires to submit an amendment.
- (2) The Committee unanimously approved the text of Articles 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 (as proposed by the Committee of Jurists).
- (3) Article 14 was postponed because of its relation to Articles 8, 10 and 12 (concerning election of judges), which had also been postponed.
- (4) Article 18 was postponed due to the presentation of an amendment by Chile.
- (5) The Committee authorized the Chairman to invite the representatives of the Permanent Court of International Justice in San Francisco to attend the meetings of the Committee as observers, and to speak on invitation of the Chairman.

ATTENDANCE AT MEETING OF COMMITTEE 1 OF COMMISSION IV
HELD AT 10:30 a.m. MAY 9, 1945
ROOM 314 VETERANS BUILDING

OFFICERS

Chairman	Manuel Gallagher (Peru)
Rapporteur	N. Al-Farsy (Iraq)
Secretary	John W. Halderman

The following members of delegations attended (the name first listed is that of the person who sat at the Committee table):

Argentine

Australia

K. H. Bailey
Herbert Vere Evatt

Belgium

Charles de Visscher
Joseph Nisot

Bolivia

Luis Iturralde Chinel

Brazil

C. de Oliveira

Canada

M. Chipman
R. Chaput

Chile

Miguel Gruchaga

China

Hsu Mo
H. C. Wang
Y. S. Kiang

Colombia

Roberto Urdaneta
Eduardo Zuleta

Costa Rica

Fabio Fournier

Cuba

Ernesto Dihigo

Czechoslovakia

Vaclav Benés

Dominican Republic

Gilberto Sanchez Lustrino

Ecuador

<u>Egypt</u>	Dr. H. B. Badawi
<u>El Salvador</u>	José Antonio Quiros
<u>Ethiopia</u>	Ambai Wold-Mariam
<u>France</u>	Jules Basdevant
	Raoul Aglion
<u>Greece</u>	John Spiropoulos
	N. Gazis
<u>Guatemala</u>	Gabriel Biguria
	Francisco Villagran
<u>Haiti</u>	Clovis Kernisan
<u>Honduras</u>	Virgilio R. Gálvez
<u>India</u>	Sir Firoz Khan Noon
<u>Iran</u>	Dr. Djalal Abdoh
	Dr. Ghasem-Zadeh
<u>Iraq</u>	N. Al-Farsy (Rapporteur)
<u>Lebanon</u>	Dr. Sobhi Mahmassani
<u>Liberia</u>	C. I. Simpson
<u>Luxembourg</u>	Hugues Le Gallais
<u>Mexico</u>	
<u>Netherlands</u>	E. Star-Busmann
	B. J. Slingenberg
<u>New Zealand</u>	Michael Myers
	C. C. Aikman
<u>Nicaragua</u>	Guillermo Sevilla Sacasa
	Col. Irving A. Lindberg
<u>Norway</u>	Mr. Lars Jorstad
	Dr. Edvard Hambro
<u>Panama</u>	Juan R. Morales
<u>Paraguay</u>	
<u>Peru</u>	Dr. Manuel C. Gallagher (Chairman)

<u>Philippines</u>	F. A. Delgado V. G. Sincio
<u>Saudi Arabia</u>	
<u>Syria</u>	N. Antaki
<u>Turkey</u>	C. Bilsel H. R. Baydur S. Devrin
<u>Union of South Africa</u>	J. R. Jordaan
<u>U. S. S. R.</u>	S. A. Golunsky
<u>United Kingdom</u>	Sir William Malkin G. G. Fitzmaurice
<u>U. S. A.</u>	Charles Fahy
<u>Uruguay</u>	Mora Otero
<u>Venezuela</u>	Luis Emilio Gomez-Ruiz
<u>W. Russia</u>	
<u>Yugoslavia</u>	T. V. Gjurgjevic

ATTENDANCE AT MEETING OF COMMITTEE 1 OF COMMISSION IV
HELD AT 10:30 a.m. MAY 8, 1945
ROOM 314 VETERANS BUILDING

OFFICERS

Chairman Carraciolo Parra Pérez (Venezuela), succeeded by
Manuel Gallagher (Peru)
Rapporteur N. Al-Farsy (Iraq)
Secretary John W. Halderman

The following members of delegations attended (the
name first listed is that of the person who sat at the
Committee table):

Argentina

Australia

K. H. Bailey

Belgium

Charles de Visscher
Joseph Nisot

Bolivia

Luis Iturralde Chinel

Brazil

C. de Oliveira

Canada

M. Chipman
R. Chaput

Chile

Miguel Cruchaga

China

Hsu Mo
Wang Hua-Cheng

Colombia

R. Urdaneta Arbelaez

Costa Rica

Luis Anderson

Cuba

Ernesto Dihigo

Czechoslovakia

Vaclav Benés

Dominican Republic

Ecuador

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Dr. H. B. Badawi

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El Salvador

José Antonio Quiros

<u>Ethiopia</u>	
<u>France</u>	Jules Basdevant M. Laloy
<u>Greece</u>	John Spiropoulos N. Gazis
<u>Guatemala</u>	Gabriel Biguria
<u>Haiti</u>	Clovis Kernisan
<u>Honduras</u>	Virgilio R. Gálvez
<u>India</u>	Sir Firoz Khan Noon
<u>Iran</u>	Dr. Djalal Abdoh Dr. Ghasem-Zadeh
<u>Iraq</u>	
<u>Lebanon</u>	Dr. Sobhi Mahmassani
<u>Liberia</u>	C. I. Simpson
<u>Luxembourg</u>	
<u>Mexico</u>	F. Castillo Najera R. Cordova
<u>Netherlands</u>	E. Star-Bushmann Mr. Slingenberg
<u>New Zealand</u>	Michael Myers C. C. Aikman
<u>Nicaragua</u>	Guillermo Sevilla Lacasa
<u>Norway</u>	Dr. Edvard Hambro
<u>Panama</u>	
<u>Paraguay</u>	César R. Acosta
<u>Peru</u>	
<u>Philippines</u>	F. A. Delgado V. G. Sinco
<u>Saudi Arabia</u>	
<u>Syria</u>	
<u>Turkey</u>	C. Bilsel

Ukraine

Union of South Africa

U. S. S. R.

United Kingdom

U. S. A.

Uruguay

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J. R. Jordaan

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Mora Otero

Gustavo Herrera
German Vegas
Luis E. Gomez-Ruiz

T. V. Gjurgjevic

DECISIONS OF THE COMMITTEE MEETINGMay 7, 1945, 3:20 p.m.

Room 314, Veterans War Memorial Building.

The following decisions were reached at the second meeting of Committee 1 of Commission IV:

- (1) The Committee approved the minutes of the first meeting of March 4, 1945.
- (2) Committee 1 is competent to consider in its discussions Paragraph 6, Section A, Chapter VIII of the Dumbarton Oaks Proposals.
- (3) The Chairman at this time will not request the Steering Committee to decide whether Committee 1 is competent to consider the subject of the execution of judgments.
- (4) Committee 1 will hold meetings three times a day--in the morning, the afternoon and in the evening.
- (5) Discussions of Articles 2, 4, 5, 6, 8, and 10 of the Draft Statute proposed by the Committee of Jurists as contained in Jurist 82, G/69 were postponed.
- (6) The Committee adopted Articles 3, 7, 9, and 11 of the Draft Statute proposed by the Committee of Jurists as contained in Jurist 82, G/69.
- (7) The right was reserved to the Delegate of the United Kingdom to reopen the discussion of Article 3 of the Draft Statute proposed by the Committee of Jurists if the members of Committee 1 attempt to debate any article which was approved by the Committee of Jurists.
- (8) The right was reserved to the delegate from Australia to make a declaratory statement respecting the question of whether the members of the British Commonwealth possessed a single or dual nationality within the meaning of Article 3 of the Draft Statute proposed by the Committee of Jurists.

CONFERENCIA DE LAS NACIONES UNIDAS
SOBRE ORGANIZACION INTERNACIONAL
DELEGACION DEL PERU

San Francisco, 7 de Mayo de 1945.

Señor Presidente de la IV Comisión,
Presente.

Señor Presidente:

En la primera sesión de la IV Comisión de su digna presidencia, se pidió que cada jefe de delegación, como Presidente de los comités 1 y 2, designara la persona que lo sustituiría en caso de impedimento.

Me es grato poner en su conocimiento que en todo caso de impedimento mío, actuará como Presidente del Comité 1 el delegado del Perú, Embajador Dr. Arturo García.

Agradeciendo desde luego la atención que le merezca lo que dejo expuesto, expreso a usted las seguridades de mi especial consideración.

Dios guarde a Ud.

(Signed)
Manuel C. Gallagher
Presidente de la Delegación Peruana.

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SOBRE ORGANIZACION INTERNACIONAL
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Dios guarde a Ud.

(Signed)
Manuel C. Gallagher
Presidente de la Delegación Peruana.

ATTENDANCE AT MEETING OF COMMITTEE 1 OF COMMISSION IV
HELD AT 3 p.m. MAY 7, 1945
ROOM 314 VETERANS BUILDING

OFFICERS

Chairman: Manuel Gallagher (Peru)
Rapporteur N. Al-Farsy (Iraq)
Secretary John W. Halderman

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<u>Belgium</u>	Charles de Visscher Joseph Nisot
<u>Bolivia</u>	C. Salamanca
<u>Brazil</u>	C. de Oliveira
<u>Canada</u>	L. S. St. Laurent M. Chaput
<u>Chile</u>	Miguel Cruchaga
<u>China</u>	Wang Chung-Hui Hsu Mo H. C. Wang
<u>Colombia</u>	R. Urdaneta Arbelaez
<u>Costa Rica</u>	Luis Anderson
<u>Cuba</u>	Ernesto Dihigo
<u>Czechoslovakia</u>	Vaclav Benés
<u>Egypt</u>	Dr. H. B. Badawi
<u>El Salvador</u>	José Antonio Quiros
<u>Ethiopia</u>	Ambayé Woldemarian
<u>France</u>	Jules Baselevant Mr. Chaumont

<u>Greece</u>	John Spiropoulos N. Gazis
<u>Guatemala</u>	Gabriel Biguria
<u>Haiti</u>	Clovis Kernisan
<u>Honduras</u>	Virgilio R. Gálvez
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<u>Philippines</u>	F. A. Delgado V. G. Sinco
<u>Syria</u>	N. Antaki
<u>Turkey</u>	C. Bilsel H. R. Baydur S. Devrin
<u>U. of So. Af.</u>	J. R. Jordaan
<u>U.S.S.R.</u>	S. A. Golunsky S. B. Krylov
<u>U. Kingdom</u>	Sir William Malkin G. G. Fitzmaurice
<u>U.S.A.</u>	Charles Fahy

Uruguay

H. Paysse Reyes

Venezuela

Gustavo Herrera
Germán Vegas
Luis E. Gomez-Ruis

Yugoslavia

Lt. Col. V. Dedier
Mr. Cerović

MEETING OF COMMITTEE 1 - COMMISSION IV

1st. Meeting May 4, 1945

DETAILED AGENDA FOR CHAIRMAN

I. Chairman officially opens Committee meeting.

- ✓ A. Brief pause for official photograph of Committee meeting.
- ✓ B. Statement by Chairman on the general work of the Committee.

II. Organization of the Committee.

- ✓ A. Chairman introduces the Rapporteur--the delegate of Iraq, Mr. N. Al-Farsy. (Asks that he arise).
- ✓ B. Chairman introduces the Secretary of the Committee--Mr. John Halderman (Secretariat).
- ✓ C. Chairman requests Secretary to introduce the Assistant Secretaries:

John Maktos
Philip Neal
✓ Allan Trumbull

III. Rules of procedure for Committee action.

- ✓ A. Chairman will ask that the Conference rules of procedure apply to the work of the Committee together with such supplementary rules as the Committee may find necessary to facilitate its work. *agreed*
- ✓ B. Chairman ask that delegates wishing to speak will please indicate their name and country for first few meetings in order that all Committee members may become better acquainted.
- ✓ C. Chairman call attention to rule that formal amendments and proposals which delegates may wish to lay before the Committee should be handed to the Secretary far enough in advance so that they may be distributed twenty-four hours before being taken up in Committee.

IV. Documentation

- ✓ A. Chairman call upon the Executive Officer of Commission IV representing Secretary General of the Conference to present signed copy of the Committee of Jurists report.
- ✓ B. Chairman express regrets that Mr. Green H. Hackworth who was Chairman of the Committee of Jurists cannot be present at this meeting on account of illness to speak about the work of the Committee of Jurists.
- ✓ C. Chairman call upon Professor Basdevant (France), Rapporteur of the Committee of Jurists, to inform the Committee of the principal features of the work of the Committee of Jurists and of its report.
- ✓ D. Chairman call upon the Secretary of the Committee to make a statement regarding the documentation for the work of the Committee.
- E. General discussion of work of Committee 1.

V. Schedule of future meetings.

- A. Chairman ask Secretary of the Committee to present the question of subsequent meetings of the Committee.

VI. Adjournment.