

UNCIO - Commissions & Technical Committees - Commission 4 / Committee 2
- meeting A

01 May 1945
15 June 1945

clear - NK
03/06

S-1018
Box - 18
File - 8

(PA65/2-2-3)

14th
~~14th~~ IV/2/A

202 Vets,
June 7
10:30

Cham.

U.S. P2, 2nd and 3rd Leave departing should be left
blank. "And he departed with the Comm.,
unless 2nd and 3rd in ll

Cham.

Blank
U.S.
USSR

Fill
Bely.

Russ. In Blank

Bely. ~~Blank~~ In. In. sent to submit Comm. #
gen. practice

Fr. In. Customary practice

Bely. Not for lawyers to advise not to follow
Custom.

U.S. Return present form. "Rule has contraind the
pries that rules might be depers with
an Interim Committee or that other forms
be made

USSR.

Cham. 4. Recommendation The Sube has not
considered that withdrawal

USSR

Bely.

Chm. "The S had not believed that it should consider the L. of time the Ch. should be in force after months of the Member State, since the question of the time for withdrawal has not been drawn to the attention of the Committee"

U.S. Approves Report?

Chm. Yes.

Session ended

See Disk.

#3rd Mtg
TV. / 2/A

June 5
Vol 314
3 p.m.

Cham: Harmon.

Harmon: Prep. Amult. [See]

U.S.: Changes in Harmon amult. { ^{substantially}
third parties.

France: "In any convention" - makes sub more general.

Belgium: "Harmon an affect upon third parties"

France: Could many have eff 3rd parties, not kind

Cham: "Here was not being absolutely

France: Report, feel rather uncomfortable. Spk more boldly. Gave due regard to Art 14 & 20, don't want to see status back down to get out whips. Not primary importance. But diff wording less due. Commence.

Cham: Not sure and shorter. Wording more changes creating older insts. Minor changes ok.

Belg: Desirable to discuss report itself [WD 165]

Cham: Not read aloud. Read silently

Hend. P.1, P 3 no 2, & 2 no 3?

Cham. Dances ~~more~~ & ~~more~~ more.

Hend. Many maps here.

Cham. Add 3. "Towards 3 - 4 points."

Hend. Cont. about same.

Cham. Went.

Fr
Colloquy
here

Fr. 

Cham. Fr. draft. Henderson about 483.

NZ. Henderson not correct.

Hend. Comment clear. Here 3 reads as if on film

N.Z.

U.S. Instead of "such" says "prior inconsistent" with the Comment

Wms
Fr.

Bely.

Under this article the parties to the
 Convention agreed that

Cham.

Fr.

[Laughter]

Bely. 1st sent 74, p. 2 Fr. must name as Eng.

Frances. Add. after 2nd line p. 3. "A rule of such
 a gen. nature not enough required for securing
 of a cons. no. of treaties, without offering
 a remedy for situations dangerous to peace
 & whereby it not be difficult to foresee."

Cham. Already dealt with last p. 2, Fr. deals
 mostly with non-mor.

Fr. agrees

U.S. Accept Summary

Cham. With U.S. addition? Yes.

Hamm. Line 7, p. 3.

U.K. Add or replace?

Cham. Add

U.S. 2nd IP p. 2.

Chmn. 'Contracted in numerous other agreements
& under the Charter.'

6 1

1st part of line 3, p. 3, delete "as regards
obligations towards non-members!"

End of line 2, p. 3, instead

Venez.

Had Will have to

IP 2, p. 3 Eng.

Bely. Nic. Murray in ?

Namm. Useful

Bely. Not desirable in interp.

Chmn. Opposes justice truth to goal,
necessity.

H-Z around as being asked

U.S. Indignation - pol. fund aspect under
which it would prevail

Fr. No questions about violation of int law,
Essential measures - press of gentleness
parties. National marriage. Claim
for damages.

Belg. But down here, less principles for such
cases, but not here none. But also.

Chinn. Does that establish agreement.

Chinn. Read up report. Fundamental Rights?

Belg. Yes.

U.S. Full Committee might want.

Chinn. Need justify. - Belgium.

Belg. Yes

Chinn. Other Committee Report Committee.
Small only sub.

Chmn Committee into force

U.S. (apropos VS text) Before Committee.

Chmn, /Have discussed Adopt VS as basis
TP by TP

Follows customary order. This text
stresses ratif, alludes to Council approval, while
ratif. Was logical to delete "in accord-

U.K. And need US in passage thru Senate
Return.

U.S. U.K. correct. U.S. not heretofore until Senate
D.O. uses same exps, on results.

Fr. Another pt. Some ratifs as doubtful. Under last
Council Ch & Senate. How none. Regrettable
if disputable.

U.K. Never had Fr. q. in principle Return saying

Fr. Claim invalid. by 3rd party.

Chmn. But refused in internal note.

USSR. Pledge spirit guarantees.

En

Comm

USSR "Respectively"

~~En~~ Unit press, since

N.Z For unit PI.

Comm USA notified.

Bely No claims about signatures. To what date
open.

Comm Encourage press all signatures last class Conf.
But probable. - Paul Q. not here

Bely Comm - Some Dels can't sign.

U.K. Pt not want job to draft clause - Comm
Jointly. We deal under working into force
Report

Comm Agree - Address refers to Exec, Comm
Primer att of delay on sign. All text of PT suppose
all sign given

2. Deposit

Bely. Add. "grant" U.S.

Chun. U.S. Natural.

U.S. Refrains, Others decide

Norway. After in force; not with Gen.

U.K. Another arbit. Tied up with new mem-
bers.

Chun. Army states may adhere Hald of admission
but admission

Chun. U.S.

U.S. USA

Bely. "United Nations" for "Representative States"

Chun. Changes may be

Bely.

Chun. Must know no. If only last day, know
of add states later admission, not in sense of Ch

Bely.

U.K. Real diff. Must be signed - satisfied till up to
ratif. Keep text. Only 10 sig., must run
risk

Chm. Ends out. pass,

Bely. 2 pts not press 10 preconditions. 2nd
Those states "sig states" really mean
ratifying states

U.K. Add for states which have deposited
their ratifications

Chm. P. 4 "Signatory states."

No Report,

U.S. L. of H. Hope no draft, but referred up

USSR. Am Del. says no provision. Another says
P. 11. Present: 5 + many others. 50 sign
 $5 + 23 = 28$. Could others 22? Clause,
after Ch in force, if not ratified, have great
very many, have to apply.

Chm. Runs much more rapid than

USSR.

Comm. Council left. Same countries only
must go higher Pl. Council - & do everything
to know.

Bely. Should also add - notify countries into force.

Hot. Matters of course biological.

Comm. 49 P. never intended kind others.

Hot. TP 2. Each sub. notified.

Bely. Comm. into force imp. Hot. Comm. into
force. Might not notify some days.

Comm. Power, rather than statement.

US. US notify when rep. are notified
not in character.

Comm.

Hot.

Comm. Exec Comm: Delays at rep. Power
att. to signature. ~~Do~~

USSR Delay signature until

Cham Annual multilateral

3 - 4 Q - Period during which ratification
can take place.

USSR 4 Q. Reservations

(Chilean
Proposed)

IV/2/A
2nd mtg.

319 Vols
3:30 June 4, 1945

Comm.

Few minutes Charters

Take up status.

Amends (Doc. 524) Hopp. Dumas?

Belg. Hender: "The org. shall possess legal capacity ^{in the territory of its members}
(1) to control (2) to acquire & dispose of immovable
& move. property, and (3) to institute legal proceedings."

Hand. Can give sp. status. 3 here dep on municipal law.
Nec to have in many countries imm. legislation. Cant
are in Ch. L. of H. nothing like this. L. of H. brought
along. Had esp under Dumas law as corp. - legal person.
No special rule. Courts with sps. had with status.
App by L. of H. end imm. tribunal.

Belg. Danger of Conf., - adopted at Bretton Woods.

Hand. Cant make out

Egypt. Did not make progress agree to commit by implication?

Hand. Text should say so

Iran. Better no details. L. to imm. laws. "Org. has legal
status nec. for the perf. of its attributions"

H. Z. Org. should in resp. to all its members. to ^{have the legal} ~~perform~~ ^{agree to} the legal acts nec. to the performance of all its functions.

Comm. 3 texts something Belg. does what Org. do.
More def. of pass. legis.

Belg. N.Z. not suff. H. Z. not, engage stuff. Must
all states agree before contract

H. Z. Why say anything.

Comm. So we have legal status.

Comm. Are you not mistaken. That quite in character
of Ch. details. In assembly, "It members under
take to" - give def. of Org.

Phil. Legitimate power to grant. If have power,
implied by Org. If have not, Ch. must confer.

U.K. Necessary. If so, good like Comm. & H. Z.
Didn't particularize in committee. Same here
To Phil. - If country whose laws prohibit, doubt
any terms, follows as matter of course.

H. Z. agrees. Not nec., but desirable. Counts on with
its members.

Inhuman, beneficial. Bely-Expression hints
power.

China & Diff Bely-elements legal status. Perhaps
never admitted, but under general formula.

Hawaii. Lupp. Law. Part Belgium in report.

U.S., Unimp to have anything. Improv., but
if desired, each of 2 groups. The one should

China needs combination - Belgium - indie.
elements. The one sh have legal -
— & to perform such other similar
enclaves necessary to the perf of its func.

N.Z. Rights and "similar"

U.S. Then no enumeration.

U.Z. Generalities

U.S. What mem.

Law. "One sh have good pers. & each
mem shall enable it to perf with in its
area the good acts necessary to the perf
of its functions"

UK & U.S. why. general person - not nec in
some countries

Norm Likes Rom.

US - Not proposing

N.Z. Put gen'l question Gen'l q. or limited

Cham. And any formula he adopted?

Bely. Even del's app.

U.S. Not not neg.

Kind proposal.

VEPZ from St. rec. in the 1.0 the final
Corp. nec to ~~the~~

Cham. Vote - Permanent. ^{for prom} 6 Pro. 3 Con.

Cham.

Genl. Prop ~~may~~ pld.

Expressly provide.

Revised ~~amendment~~ - by. have legal capacity only

Phil
~~very~~
U.S.
U.K.

Cham. Pl. of holding down is not to person by.

V.H., And would be specific. Memos would have
to pass legis. Genl prn. already in Ch.

Chmn., Pres pt. it as whly. Mr

Chmn. Genl or specific

Law. The mem. has the legal capacity neces.
for the perf. of its functions on the tier
of the States mems.

Head Points diff. nat. int. law shown here

NZ. Ltr. to Sec. Genl. V.H.

Law. Ltr. regarding as minimum

Legy. [T. Reads Text.]

V.H., Adopt 1st point which "legal" capacity
same as Venice

V. The mem. shall enjoy the necessary ^{juridical} legal
capacity

The mem. of "exemption & fulfillment of its
purposes."

1 Gen. The org. shall enjoy in ^{of itself at its members} ~~transitory~~ ^{such legal} capacity ^{as may be required} to the fulfillment of its purposes. The secretariat functions.

V.K. Change arms

N.2. 2 draft V.K.

V.K. What accept

~~Q~~ ~~Q~~ ~~Q~~

Q. Eg. Private capacity not with status. Princ & min apply of internal status

V.K. need to study? Need leg. capacity in each country

Belg. Treaty of amdt status.

N.2. What meant

Iran &

V.B. Has capacity matter of course

China,

V.R. Don't want capacity to do what not spec in charter

Chairman, Limit by force & object. Not giving behind
positive response. Not limit to on the test.
Unintended.

U. R. Last studies should need to be brought up. After close.

USSR, - Personnel staff. Want st. private and loan.
Pro and loan.

U.S., Correct. What is needed. This gives to others.

Here. Any should have personal capacity & should
perform -

USSR: Keep too much.

U.S. May be sugg. given before

USSR. Drafting.

Adapted.

Bely Too much League.

Don. Annual ref. give reason some times

Keney, D recent press.

Bely, Nat press.

US, Report says that League "He didn't do this" Annual genl abrogation

US, 33rd. Hummational

U.R. wants change in text of article. May be should "inter se".

Don, Thousands of troops, country hosts of non-aggression. Obligations non-mem would prevail. Also parties in armies as non-members. Mem it makes. Suppose non mem A agree. Cham no. Mem B. C asked (in mem) can make non eggs with A, prevents

Harvey Deped on. Use orig. text.

Cham
A of sticking to text.

Test supp memory of parties.

UK. Same right. Any real aggression in
act for war. But - supp. mems claimed
supp of treaties with non-mems. But
Can impose obls to break treaty to carry
out Ch.

How Add to F. J. [Revels] Implicit obls to
do what we.

Chm - But treaties

Chm. Never meant to give Ch. autonomy
suppression

U.S. Think about. Assumed no power. If UN
obls are non, conflict, UN as supervisory
obls non-mems in certain instances
Agree no more the same

Bely. Keep old text, say nothing in text as
report.

Imm. Agree Bely. Put as more important.

Chun. Shouldn't have test ambiguous, state both
cases. Status diff

Im. Agree. Whigging & he offered release for
But if no such from. Some under search.

Bely. For. open. Text. Full land

U.S. Report must happen. What not from. Supp
S.C. requires action. Palmer say prison
agreed man. man forbids?

U.K. Will happen more only app. All text.
Which illegality?

Chun. For this difficulty

Fr. Practice. mainly consist neutral. - Some
Case. men states would consider oblige Ch.
prevail. Don't add to text.

Chun. See decisions new plans. Can never
recognize new release. Now consider
put solutions provided - Thus new formula.

U.S. How solve, except by having phrase broad.
Universal situations, oblige not binding but
don't say so.

Don - Prel. pressure.

U.H. Reports. The S. was not up to the level

of most of the other shd have such a preliminary

large text and limited to obligations

inter se.

Phon ^{Long} single accept.

US Agree

Venez. Dutch report. Cont. on page 3rd
parties.

Don say explicitly

U.S. Leaves open Cont. decide law on part. substantive
After adoption, no lunch.

Don. Provision in Rept. under application
may apply

V. 12. Models As required nothing transmitted

none,

Chmn. Rhod depul-m S.C.

P

V. 5. Letter

Chmn. Concerning letter (III/1) Under and
have not open to doubt, but under may
be.

Keney. For text, might say text must be
open.

Chmn. Keep text as it was, under mem. Hurdman
mixed case of non-members. Felt des. have
down open to have Charles primary
in peace & security. Must now submit mean.
Adapt wording showing primary for Ch.
adapting in sec. case

V. 55 P. Cypat ref to another Comm. Text clear
Q of S. C. diff. Theory of some dangerous

Chmn. Amb. only to Comm. Disagrees on
genl application. Council creates obligations

USSR. Each to III/1/1

Chmn. Polin. of Comm. rule of int. law.
as

U.S. Permits not for Council

U.S. Permit all within Comm. Loophole.

Fr. After Report. and left Comm.

as
Chmn

Are full Clem text as doc not adapted

Tues 3:30? End of full Comm.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Bely. Proposal Pro. Cons.
 Bely. /Henderson
 Egypt

Acc to fund.

from

N.Z.

U.K. (2nd)

14 January

Can nothing

U.K.

U.S.

IV / 2 / A

May 31

3:30 p.m.

214 Vel. Bldg

Belg.

"The ~~means~~ ^{terms} the Am. recognize that
the ~~obligations~~ ^{terms} of the present Charter prevail
over ~~any~~ ^{all} obligations or understandings
enter ~~so~~ which are inconsistent with
the ~~provisions~~ ^{terms} thereof."

Ital.

France. Meets neither Russ nor Fr. objections
Russ object no more ~~known~~ which treats
any civil rule

U.S. "The conflict ^{between the terms} of other
other int. ~~agreements~~ ^{obligations} the ~~terms~~ ^{of other} of this
Ch shall prevail."

U.K. "Of ^{the} means of ~~reg.~~ under the Ch.

Ital. Provisions of other

U.K. Except, - "provisions" instead of obligations

Cham "Of other obligations under other
int. ~~agreements~~ ^{rules}"

Hand. "Should any conflict arise"

Fr. "Luna Fr. has more to point"

Chm. Trying (Fr) attack another Ch, but not
sure of other Ch. - Promissory. Also other is
construed by self.

N.Z. All agree principle. 2 Q. (1) Callahan says.
(2) Verbrugg. Collating draft.

I. All means of law instruments, in
order to assure

(a) to fulfill obligations under the

(b) not to take other means

(c) release other non-mem. Acts

& that conflict arise, ^{as before} ^{the principle of the Charter} ~~friction~~ ^{as before}
& that of other not agreed
prevail.

Chm. No obj., but if P2 attack, not members
of it, Luna fulfills agst express formula
and prop.

Hand. Faber wants "shall arise".

Bely. (Fr)

V.R.

Fr. (Exchange)

USSR. Keep Hudson

U.S. (2nd)

Chm. This conf. aims better power of
[Rene Fauriol's text]

U.K. "In the m. of any conf. among states
made under the Charter, & under any
other international agreement, the obligations
of the Charter shd. prevail.

Chm.

the Ch. & the obli^g of ~~states~~ ^{the} states under other
intl agreements, the obligations of the
Charter shall prevail

Fr. Much clearer to get obligation and obligation

Chm. Return memo

General. H.O.!

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Bel. Text: Pro.
Bely-

Can
France

U.S. Text

U.S.
U.K.

Cham.

Fr. Aug 12. Text to letters in French.

Cham. In manuscript with other under
Ch., with other whips.

V.12. In case of "in" and then "to."

Cham. Book to a

In the event of my
F. sty.
USSR } Perfect:
Bely }

Fr.

V.13. D. need cover whips other plates

Cham. Sent under

Bely Need not state,

Hudson. Cont. PII, 1/2.

Cham [Revised]

July 435

16th IV / 2 / A

May 30

308 Veterans

10:30 a.m.

Comm. Rev. of Treaties Letter from Gen. Gual -

Revision of treaties, left to II / 2. Also den.
of art. 100, want on other Commie. Understood
that Commie to remove from agenda, but to other
Commie.

L no (1) Summary.

(2) Status Art.

(3) Internal Law

(4) Commie into force

} Expedite

Today's agenda

U.S. Transfer from League.

Ch. Yes.

Ch. Articles circulated. Are Bul., and Kenez.

Revol. art 20 Commitment. Last P clause - recommending,
not of pleasure Ch., no guarantee primarily to obligs,
even agst non-members States. Thus deal only, it
part. obly other members. Also future obligs
recomm. Same prob past & future. Commie
disc. clear & self-evident. In chapter on Gen. P. 100,
satisfactory place. Desirable to state? Then
How draft? Then, what sections

USSR. All eminent rules should not be initiated

Pick pockets. No need for general rule. Can't
anticipate. Means enter obly inconsistent.
But chd. principle for is obly entered into

becoming: draft (P 2, Ch. 2) add, "with
priority over other obligations, which, in a
particular case, prove to be incompatible
with the Charter"

Cham. Q of place not here. Ch. II gives genl prin, not place
for choice of application. Better in series of general
rules at end of.

USSR. Matter of prin, not applic. But doesn't merit
in place.

Cham. Conseq. principle. Hesitates to use
word "priority", because too narrow only
but in abstract, imagine hierarchy, rather
than manage conflict.

France. Self-evident (Br.) such int. treaties as Ch.
take precedence over prin. & later obly. But danger
was to state. Judge of meaning. If member can
later allege meaning - Defense alliance, urgent
situation - 1 country states says meaning, delay
proves fatal. SC might state mm, but too
much delay

USSR. Thinking of situation when League
awarded sanctions by alleg, Council treaties

3

Chairman, What body? Dismissed Committee, General not desirable making this case.

~~Chairman~~.

U.K. Fr. imp pt. Equally imp to avoid Ch being used as excuse to get out of imminent obligations. How would clause.

France, Meet USSR, but clause ^{by imp, add} "even if" always ~~seemingly~~ ^{from} Ch, and even if the

Chairman. 2 q., (1) Degrade imp. (2) Temporary meaning. Should state rule as either so as not to hurt other. Provide by apt regime meaning.

U.K. Fr. draft covers both case. One only arises when emergency not, say, emergency. Here doesn't matter whether "regime" or "temporary". At that moment, say, like Fr. at this moment the obj of the Charter should prevail.

Chairman. Fr. suggestion rules mostly temp. meaning. Should state (Pain) permanent. Same in both places: Degrade & static aspect. L. Remains all -

VENEZ. Fr. Amult IP 2, #6: Home draft
of this Ch.

FRANCE. Q of registration. Very prop of mineral
within certain period. Homogeneity for all.
perm. nonimportability, States themselves
judge.

IRAN

IRAN. Q. Covenants of League? Has this given
this difficulty? -

Comm. Diff of Fr. applies both, also: But looks rich.
Case wise, lead to negotiations, or dispute,
new law. Comes in. Given if one does not state
rule, pass Fr. and amend. And state rule,
then state new ships.

U.K. Objects. Create difficulties. "Reservations ships
abrogated? What are they? Working? Give
theoretical disputes. Why do this? Unnecessary

Need to provide ayst concrete case. Gen prin
self-evident. Ch. Where case arises previously,
existing obly cant be pleaded. Ch under them
League - Princ. & purposes. Provisions obly
not be alleged as these.

U.K. (after Chm) Case dispute: Machinery available
in this case. This diff. from pro facto
machines.

Chm Make clear remark in Fr. email. Art alludes
to all obly of Charter, and to Council.

U.S. Took pos. Comm. in prin. in Ch., but
since Cor had, where understood. But
he simply. In case of supp. parts cases, Fr.
prin or Low. man takes care. It did object
Even if prin. arises in part. case, should give
blank check to enter means obly, unless
| compl. arises. That situation should be made
explicit. That Charter paramount as basic
rule of inter relationships. Simple statement
and do, + st. of an certain circumstances
arise, Charter prevails.

Chun

France. Q of June 20 Com. Ans. Com only 20 yrs
Dang. to take all powers, but take 21, Regional aspects.
Take other points. Look at comp. body. Confirms UK
Comes to second part case. Then st. From Chun said
not ch. II. Then put end to P. U. Ch. VI. "even
if such idea should app to be contrary to obligations
arising from other treaties".

Chun. Venerable ch VII Com - under Sec. C. 1st head

VSSR. Object ~~the~~ to statement on organic
mixture. Either no att paid to it 2+2=4. Danger
Does 2+3 always make 5. ~~the~~ - Makes doubtful
whether obligations valid. Recall app to our hopes.

Com to avoid instability. Rush to make reservations
saying not mixture. This cont. long period. Objects

Met Fr. by meeting rules indicating refers
to complete sit. where conflict existed. "Under
certain case. or in a particular case" ^{"Add to Fr."} meets case no
machinery. Had not in their question, but
panel cases, cannot comply

Col. Q promises Com 20. Q raised time - 1920

Lines when - Neutrality. Council said special pas.

2nd July - Edinburgh 1935. Albania marked Albania
Anitra - Hungary. New Ch. said cancel previous
obligations. Body, specially comp, incl 1C).

Fr. Agree pr is evident. Fact? Are countries well
registered into then plead inconsistent. This shift
from clause abrogating all treaties. Text. Add
II/2 "even if such oblige shall in certain cases
appear contrary to an imp with, partic. Comm
concl. by members either between them or with
non member states";

Chmn, Ann only to state Ch rule of law, and give
one party at to decide. Chances are same as in
Covenant. Self-evident, but when not stated, if
restated or particularize, are interpreted.

VEHEZ. All agree no more make treaties no charter,
but not consequences. 2 categories: ^{between mems,}
no agut; mems & non-mems, ^{case, spec. pr} steps to release.
Agree Fr would, but add end Ch. clause for conflict
actually visions; release all pr. oblige, cont
Contract new oblige. Find diff. wording diff
words

U.S.S.R. Rule of law. But one matter, begins
on the shift what former had in mind
Cont only all mems abrogated. Cont visions
Convey of rule. Don't want themselves state
dangerous for peace. Rule for particular cases.
Not in mind visions state, but visions
whether visions with Ch.

Chm. Draw att. to Venezuela [Bands] Fr. small
consequently non-memo.

U.K. Worse, Running circles, What Treaties?

IRAN "Agree to take some steps to secure release
from very able memos with Ch."

BELG. 2 pts: (1) Should be more compact - one on
one. (2) What says? Further as in S. C. paralyzed
Belgian front, let and accept Comps. Bohman good
for practice case. Belgium gave power to call more,
over bilateral - also Fr. & Gp

Fr Agrees Belg. Front, must make steps, Venez
here dangerous. Rules demand. Gen clause
demand to, parts non-memo states. General
rule, have to use services to Cl to secure

Chm. L. n. non-memo state

Phil Wall and press has total abrogation. Supp.
France,

VEN. Small Had also facts, but method rules.
Negotiations pass in add. to demand.

Chmn, Come agree Bahman Proposal

Rev. Vers.

The rights of the Charter shall supersede
as between the members any obligations
inconsistent with the Charter.

Allman

USSR General text, Very, American, Berlin
German text, Fr. text, Study texts, cont-
discussion

Chmn No objection. Time

Full Committee 4:30 Thurs

Subc. 3:30 Thurs.

Cedg.

1:00.

IV / 2 / A

Decisions

May 14

8:30 PM

202 Veterans

Admit 2 members of PCW.

U.K. subject to personal personality - then to members.

Agreed moved, 14, 19, 19, 19

July to Confirmation full Council

Luberman meets 3:00^{pm} Tues. May 15

Fellow Draft.

U.K. subject to personal personality - then to members.

under laws. Ag. pub. and the UNRA, then into

Assembly, later. But on some of person, property

Fellow - 1st P. and personal, and also full Council - then members until
full Council considered

Bedman, U.K. subject to personal personality (some of members)

statute (Council 2, Pres. 1 thought) Council, as entered

to south of country. Document still to be seen, on members

Have in charter such a statute. Letter from, to join

Should also be seen?

U.K. Separately.

Bedman, Councils principle

U.K. agreed with Legu had nothing to do with
and personality

Bedman Rules, agt. Councils grant.

U.K. did pers. debt from joint person, join
Council concept. Rules L. Council - joint
person means Council

V.R. Could have good pers. with man from suit,
also dig in man. up from personality

Bail, International personality. Understood
V.R. last

V.S.R., Could pass some sort of pers. on with
law. Many figures, but left from person in
private law. Agrees as well for it to pass
good pers. in private law

Hawman, One general person

V.S. V.H. only, not related

Bely, Lubet point 1, "The very nature of a
pers. of int. law, should ^{be} ^{necessary} ^{to} ^{the} ^{state}
member states the legal capacity ^{for} ^{the} ^{realization} ^{of} ^{its}
of its functions and the realization of its
ends."

Venay, Law. All. state pers. - agrees

Hawman 2nd point of paper made interesting

New TP. likes L of H Bely, brought badly
as pers. under Soviet law. Et also in
person?

Bodman, Doc. clarified, the draft not complete
looked up with principles & functions, later
culture pass from with persons

V.R. "Being an internal entity"

Bodman, Why

V.R. Person means little in English.

H. Union - Club, like Vietnam - Ambassador
V. K. Corp has sep. person. L of H. has
 no personality. Other suggests
 Club or superstate

Belg. 1 hour (3 am. draft) institutional personality

France - Inform. Does P.A. Union have
 int. personality

Belg. H. organs, no Council, no
 would have organs. Admin, S. C., I. L. O.
 Promises & official

Holland - Merely Central, no common
 basis. No int. or int. joint personality

FR.
BASDEVANT - Plan: 1st int. personality
 2. legal corp in each state. 1st national,
 but includes heads of joints. Knowledge
 not so useful. Tackle union, no Council,
 in case better not. 2nd have legal corp.,
 int. personality.

Belg.

Bar. Asks whether premises, properties - can
be isolated from personality. Argues - can
be separated. Argues union with personality.

Bely. Must have person in int. law, but
need not mention it here - effect on int. law.

V.S. All must be exposed to contract,
hold and estate, being int, no more
Thanks would have mentioned exp. Equally,
"The Org is an entity of int. charac.
with exposure to carry on its func.
Not "int. law", but "int. character."

U.S.S.R. Press & news early ship. H & diff.
about human elements - early, settled
own. law. Real Q. Will it be impossible
to reach aspects with States. Argues
with S.C. Can all Qs be settled aspects
between states? Don't know as any more.
Disc. dep. press & news, without
mentioning int. personality.

Bar. Give aspect as to use of name then like
"corporation". Privilege not to exp. as organs.
H & Demons but later. Then press & news, later
Corp. of org.

Bad (Covers) H & details, just print, then
 proceed Annuit?

Perhaps cover lines cover & 2 H and
 safe guards: detailed.

1

Bad. U.S. Text [Part 2]

Bely. 1st list, lower end. "Should be arranged
 for off. common, exp. from
 box, & such other parts as are needed
 to that end."

Bad. Liquidation identst, vq. as whole, add
 annual of property. Then state item
 of vq. & item state 3. Details in Convention
 later

Venez. Subst. genl. esp. for "enjoy min
 from int. such parts & min. as are
 use for ~~purpose of~~ fulfillment
 of mission"

U.R. Modif. Run 1st & second. It would
 men. The way it is, much
 & off, shall enjoy such parts & min.
 as are use to fulfillment of its purposes.

Details ^{prop} ~~started~~ his Assembly, later. These
worked out later, some into force when
ratified by Assembly.

H-Z. When engaged in bus. Don't mention
conventions

Harvey. Comm not necessary

Bail. Might meet many places
folks.

H-Z. Comm all

Bail.

Verney. "The org & all int. orgs. brought into
rel. with it shall have

V-B. Cl main statute. Comm cancl does contain
prints.

7

V.P. [Text continues]
1. The org. is ag. & must not shut
eyes on list of each man, such options
& must as a rule to its objects.

2. The details of the above-mentioned
points

Bas. V.K. proposal. Forum must exist organs
before agencies Pl. 3. Better to be simple
members only, conventions, go into effect
when names Athens accept.

USSR. Circulars? Cons next time. Pank
no objection

Harvey, Add "Constitution & agencies"
in 2nd Pl.

V.K. 1st Pl organs, 2nd

Delgado, Contradictory Comm. has being
and property. ~~Leaves out property~~

[Reads from minutes]

USSR. Harrold in Comm.

Bas. Genl record H's decision. V.K.
doesn't exp. properly. / Harrold violated

T

Text does not include, same can be
inserted.

Belgrade. Likes V.R., but contains

Bely. "Dipl" after press & imm.
Some press not dipl. Includes
diplomatic

V.R. "Dipl" & other ^{sub} "I"

Bel. True for. No obj. to "Dipl." Text
refers "see to ease of form." This
restriction. "Dipl" is human. If there
two words, note in words that follow
Lun exp. his necessary to functions & incl

DeS. Objects to "dipl" [U.S.]

France. Dipl may be greater than need. Other
same, when to Comants, Government words
in hurry. Full name for high officials
Text subf, see form. For text circulated.

For Text

Hudson. Court exp. Use "dipl" because def in
Lun. A.B., same law for press & imm.

to offrs. of org. It not enough to have international
 oblig. must have national law. Even if
 merge into national law, needs legis to
 impl. Ch. recommended, so few States could

Bas. J. Hudson (circled) diff from 2 of H.
 2 of int convention, binding all States. UNMra

Hudson Genl oblig. on Charter, Replanned by
 Gen Assembly, serving purpose of getting
 int. legislation, furnish basis for implen
 nat.

Bely. Aches V.R. No state whl. to sign law. If
 state refuses to sign, nothing enforced

V.S. Had this on mind. Met Judge Hudson,
 has Comm when ratified,

Hudson. It not have most countries

V.R. That Comm, had adopt Res. when
 ratified, all demand. If some wouldn't
 do, can alter P2.

Bas. Sum up. The exact matters of detail left
 to Comm. Res. should be drafted Comp. Unil.

see Model for int. loan issuing from Assent
series purposes. Conclude. - 316.

Term:

IV/2/A

Belgium. (Resolving) Not present at only one
press. afternoon. 2 TP's formulated [trends]
3 - to be worked on.

Disc. no change in Eng. text. Belgium, France

USSR. Has text drafted, as adopted.

Venez. Lays down draft, Gen. Assembly to deal
with by Res.

The A. will define the phrase "in full detail" & its meaning.
will be submitted to the members for info.
& shall be submitted to the Council.

U.S. } Accept.
USSR }

U.S. Define determine.

U.K. Early text? Reverse under Venezuela

Venez.

Belg. Only remains #3, details.

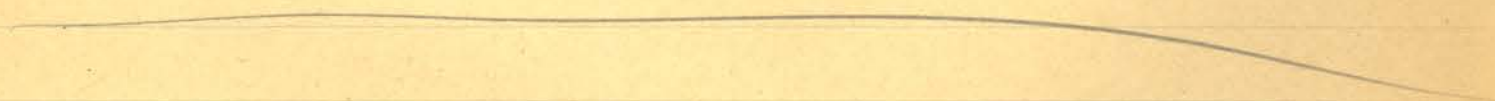
U.S. "To define in more detail"

Holland. Both remain & dr. G.A. remain make

see & draw up convention proceedings on sheet

For

Draw



Cuba IV/2/A

May 19
/ 2.00
311 Veterans

Bad. [Rest omitted] Q is validity, not registered should
give opinion (1) Treaty is valid, but only in sense
can't be denounced (2) If no registration, 1 contr party
can't plead before organs. Sanctions? 2 ops:
Cuba: leaves open to organ. Other - same
Comp sanctions. [Reveals Cuba] Dec 173 Eng.

Col. Doesn't agree Cuba. Unregistered treaty can't
be expressed before any U.N. Body.

Belg. Agrees Col. Cuban text too long, too vague,
not principles. 2 subheads 1: Consent of all parties
regr supp measures. 2: Registration essential.
Thus Belg. allying self, cites 1 and TP. U. S.

Phil. ~~Treaty~~. Approves Cuban prop. Supps. 1st all Am.
draft. Supp. Col. & Belgium - Teeth

Venez. Not Cuban text. Not concerned with
validity. Likes 2nd Am. formula. To make
French text. "Comme nul et non avenue"

Bad. 3 diff pts of view: (1) 1st of Am. - doesn't exist,
(2) Treaty exists, enforceable as between parties; (3)
~~All contacts disregarded~~ (3) Sanctions (4) Phil argues from
Phil & Venez. which sanctions is

Henderson. Long introduced. - Convention created doubt, was
never applied. France-Belgium Comm. but gains

did not accept. In fact, how treaties were registered
Parties didn't know, it did not inquire. Left
himself open to members of right hand text.

N.J.
Brazil. So far no comments. Lugo. Parties =
clearer, better. Provide outright that all
shall be registered. Also "any such ^{not registered} shall
be void for all purposes." Only gentlemen's
agreement. Either would refuse to carry out
Don't look at hand. I would refuse to sign,
other diff. And say either one thing or other
void for all purposes.

Phil Supports

U.K. Object sanctions. 1st offers bail at first, but
doubtful of any sanctions. Either party
can register, thus can make treaty binding.
But both can agree not to, thus only case no
sanctions. Accept situation that technically
treaty not binding. 2nd is a sanction, because
each knows may be challenged before
org. V. H.

Bad. Correct only in life of treaty 2 periods - 1st
both would be open. Then period one wants
to get out - thus where one party can ask. ^{Rel}
Column, here

U.S. Same as V.H. 2nd preferable. Under League,
Treaty not binding unless registered, yet in
cases before Ct., it required fact. not registered.
Ct. understood how left col. means right
of treaty not binding, because nations as whole
say so, not because parties. 2nd all preferable,
in reason. Really, policy of mg, what
it wishes to do. Also, by contr. 1st all,
regardless of parties, prejudices in all
cases effect of treaty not registered - Can
make decisions of, no absolute prom in
Ct.

Bud. Another way. 2nd prop. "V.H. may disregard"
If policy of V.H., as whole. Thus, two great decisions,
If policy to decide, must be explicit.

U.S. In all cases policy of V.H. to disregard

France. Asks that if, he must to Art ~~XXIV~~. - arrests
left side. No big diff left & right.

U.S. Same U.S. referring. He decides in advance
Should?

Iran. U.S. wants to return it of Art to decide
in U.S. [Takes words]

Bely - If ideal, left preferred. But VIK right: some
not applied where should be applied. But have
in own merits, Great step forward, takes ideas
from practice, comments to organization. Must
be realistic - more practical than juridical, take
into account. "They" have former moral pt. of view
But must be practical. Doesn't assert minimal

N.Z. - not impressed VIK in U.S. Don't have
enough. If you like, leave out sanctions,
by Assembly to prove his req. But not then
having a lot of particular.

Finality: all agreed: Phil be representative

Then: Cuba? No.

Then Confere select to draft. Left us at
in leave out for req. by Assen.

Boal. Reached get agreement on some sanctions. Looking
as possible. Can't follow N.Z. no sanctions. But
At. Gen. draft, Arh. diff. - Which organ? Both
Sec. Council, Ct. But if 2 organs, conflicting
judgments. Sec. Comm. pub., Ct. Assen may
be more out. Bl Ct. must apply legal principle
What basis will choose for judge

Boal Late. Rest on Sat.

Meet Mon 3:30

Comm. Mon. 10:30.

Lubimov A.

May 11
3:00 P.M.

Bas. Open, all delay have text. Abandonments

3:25

Delgode. 1st P. made uniform Fr. list. Subst. each
of its members.

Bas. Oly. ? No.

Fahy. 2nd P. mistakes taking and change after
shall

Bely. Appointed pres. text.

Bull. Both lungs

U.S. "Should have" when engaged in business
of war.

Bely. Superfluous "are" in the words
of the functions.

Bas. Q. of laws, Not a. of laws, but rather
of law as Rep. Add "in connection with
the Organization"

U.S. "Determining" changed to "defining" yesterday

D.H. Don't define detail, determine what they
are. Don't want to object. In Fr. "fixe" &
"define".

Veney.
Accepted.

Rept no longer comes in
Rule.

Bul.

XXX

The draft ~~article~~ ^{proposed} by the ~~sub-committee~~ ^{sub-committee} does
not spec. the ~~princ. & imm. resp.~~ ^{princ. & imm. resp.} for which
it imposes on the mem. states. This has
been thought superfluous. The terms "princ.
& imm." ~~indicate~~ ^{indicate} in a gen. way all that
could be considered necessary to the realization
of the purposes of the Org., to the free funct.
ing of its organs, to the indep. exercise
of the functions & ~~attributed~~ ^{attributed} duties of
their officials, such as exemptions from
tax, ~~imm.~~ ^{imm.} from juris., franchises for
Common, inviolability of bldgs. properties,
archives, etcetera. It wd. moreover have
been ~~imposed~~ ^{likely} to establish a list ~~valued~~ ^{valued} for

all the mem. states and taking acst of
the sp. situation in which some of them
might find themselves by reason of the
activities of the Org. or of its organs in
their territory. But if there is an action
principle it is that no mem. state may
hinder in any way the working of the
Org. or take any measures the eff. of which
might be to increase its burdens, financial
or other.

all the mem. states and taking acct of
the sp. situation in which some of them
might find themselves by reason of the
activities of the Org. or of its organs in
their territory. But if there is an entire
principle that no mem. state may
hinder in any way the working of the
Org. or take any measures the eff. of which
might be to increase its burdens, financial
or other.

IV/2/A (7th Mtg) May 22
316 Vets
3:30 p.m.
Reviews.

N. Z. Wants flat prohibition

Bel. Imports should be given. But not dependent
• Cl to disregard.

USSR. Boundary treaty, extended, then six years. Can
See Comm. disregard

Hudson but party will reject. But not automatic.
For off moral do. Highest moral views. Power in
Government massed fire. No 1 no sanction, 2 gives
sanction.

Venez. Use my word: No to moral eye which has
Council by agreement.
• ~~been entered into~~ shall be very, by way unless
previously reported & published by the Organization

1st Drop for Cl. members.

Bar, gives membership. Don't need to consider
non-members. Virginia.

U.S. Puzzled. Antinodal no effect for money. Treacher
Lans should be it is void (left text). Really
non-members can register, brings the sanction
Thus no distinct mem. & non mem.

No answer to Churn pt that anyone might
disregard. Give power. "Any person or agency"
shall — unless such text should, in the mind
of ant. power & security, or equity, be regarded
as operative. Standard purposes of act as
whole.

Es. Will damages, should. Phil agree in small amount
Keep 1st The Gen. Assn shall provide for regulation

Bar, For equities to Cl, See to L. Council. Some standards
better than none. For proposal: Power of reg.
does not need annual. which is so serious would
consider regulation. Council wanted sanction of
no binding effect. For formula will have to go
before council. Favor shall rather than none.

N-2, Can't understand Comp reg. then encourage
non-regulation

14.2 "Treaties entered into shall be recorded
by Sec. 1 (Agmt)
Gen. Assm shall make reg's governing recip
& applic of foregoing (Agmt)
Any such treaties or oral agmt and signatures
on rec with above provs shall be valid
for all purposes

Phil. supports

Hand. Effect on the relations man & non man

N.Z.
Hand. Enforceable

Bas. Similarly,

Hand put down usefulness "May disregard" a
subf. sub - 1st TP limits capacity to enter
agreements.

Harvey "A man of ^{the} ~~any~~ cannot ^{before any organ of UN} manifestly
to which it is a party & which has not been
registered in rec. with this TP.

Fr. hint

↓

U.S. Agree on principle before, prove before, no state
can make a treaty on its own

Keney Distinction man & non man.

Handson Other states can make
Venez, Proctor
USSR - Likes Homage

Bad. U.S. free migration. New concept of V.N.
~~new~~ Learning and continue outside

Hand Discretion has allusion ref. with non-
members. Since 1885, 1893 Berna, no
result. Comment reflects. Like to be applicable
Rt of non members to registered. U.S. & Germany
both registered. Merely procedure. not
obligation. Keep broad.

Bad.

Can. A dead letter. Lawyers disagreed

Bely. Legal sec. L.N. Probably thought validity
involved

N.Z. 11 May. Of dispute, neither could make

Handson Could register

N.Z. No subil. disapp. N.Z. & N. May.

Bad Court prevent secret treaties. Only case of
dispute