

UNAO - Commissions & Technical Committees - commission 3 /

01 Jan 1945

Committee 2 - material for working

31 Dec 1945

clear - NK

03/06

S-1018

Box - 14

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(PAGE-2.2.3)

General Comments + Suggestions

- 2/5/45
- Belgium - ^{DC} endorses principle of necessity of great-power agreement --- 1
- GC - justice as a standard to guide deliberations of Security Council - 2
- VII A - advisory opinion from ICJ as to whether decision respected in dependence + vital rights - 2-3
- GA - middle power special status 3.
- GC - regional veto only (?) 3.
- GC - majority of ~~the~~ non-permanent members also required wherever great power veto holds 3.
- GC ^{VIII B, C} - subordinate regional to general enforcement arrangements 4
- S.C. ^{VIII B, 9} - small-power right to confer with Military Staff Committee 4
- VII A - close "gap" by compulsory reference of residual questions to PCIJ 4

Brazil - Nov. 4, 1944.

- greater participation by other than Big Five -1

- need for guarantee of territorial integrity + political independence -2

- exhaust possibilities of judicial settlement or arbitration under Art. A. -2

- disinterested determination of scope of domestic questions -2

- ad hoc members to have same voting status as other members of Security Council 3

366 - would opinion as guide, to decisions, of Security Council ^{and avoid} ^{and improvement} 3.

- ∴ permanent representation of S. America necessary to use of opinion as sanction.

G.C. ? VIII B, C. - regional settlement except where peace of more than one region is endangered 3

G.C. VIII B. - prohibition against unilateral threat of force outside organization 3

- Assembly discussion of Security Council's reports to Assembly under V, B, 8. 3

Costa Rica - 12/5/44

Assembly discussion on means of enforcement - 2

special L. A. representation - 2

"compulsory" pacific settlement - 2

G. C. amounts to VII B. - 3

$\frac{2}{3}$ vote in Security Council - 3

no vote for interested party

Egypt - 4/16/45

- mention "law" as guide to action

- 1-2

Atlantic Charter

- 1

G.C.

- danger of concentrating responsibility in
hands of Great Powers

- 2-3,

- larger Security Council desirable (14)

- 3

- permanent representation of principal regions

3

G.C.

- Security Council as enforcing Executive
(possibly subject to later Assembly ratification)

4

S.S.C.

XII

- liquidation of League a delicate question
abrogate inconsistent L.N. agreements

5/6

Guatemala Nov. 14, 1944

- compulsory I.C.T. jurisdiction

1, 2

- permanent, rotating Latin American
representation on Security Council

2

- no veto by interested Party on Security Council

2

G.C. - Security Council action subject to Assembly
revision or approval.

3

S.C.
Art. 15, S-7.

- will maintain armed forces in accordance with its
resources at disposal of U.N.O.

- ^{maintain} ~~do not interfere~~ inter-American system

3

Haiti - Oct. 27, 1944

- complete approval of W.O.C., specific
approval of system of cocaine measures.

GC ^{III}B

Netherlands Oct. 9, 1944.

- endorse meaning of great-power agreement - 4
- identity of target of security arrangements - 5
- justice as criterion of action - 7
- G.C. - - Appeal body to pronounce on moral adequacy of Security Council's decisions - 8
- require 3 of 6 non-permanent members to approve S.C.'s decisions - 9
- special middle-power representation - 10
- G.C. VIII, B - selectment recognition of Great-power position more or less "above the law" as necessary for enforcement - 10
- S.C. VIII, B, 3 - non-coercive sanctions only to be carried out obligatorily - 11
- S.C. - Great Power veto to apply only to coercive action esp. if such action inhibits Organization from acting - 11
- S.C. VIII, B, 5-7. - distinguish "right of apprehension" (to be reserved to small powers) and "right of veto" - 12
- Great-power veto in questions of remote interest - 12
- " " " in cases involving our cause gives no protection to Netherlands - 12-13.
- summary - 14
- S.C. VIII, B, 9. - right of small-powers consultation with Military Staff Committee - 15

Paraguay Feb. 27, 1945

- broaden scope of ~~Security~~ Assembly, - 2
- plural American representation in Security Council - 2
- independence and territorial integrity - 3
- no communication system of benefits of inter-American - 3

Uruguay - Sept 28, 1944

- League of Nations on adequate basis - 1
- creation of legal norms to guide relations between peoples - 2
- - no distinction ^{in rights} between permanent and non-permanent members of Security Council - 3
- small power to determine when it wishes to consider itself interested and speak before Council - 2
- supports special Latin American representation - 3
- - compulsory judicial settlement - 4
- United bill of rights - 3
- on the super-state with no police force - 4
- G.C. S.A. 1957 pro obligation to keep ~~armaments~~ ^{armed contingents} available - 4
- pro specific guarantee of independence - 5
- co-ordination of inter-American and world security system - 5-6

Venezuela - Oct. 31, 1944

G.C. - insufficient recognition of rights and aspirations
of small power in system of great power alliance

- absence of peaceful change procedure

G.C. - unprecise wording of rights & obligations of members

- useless character of proposed Assembly;
better balance necessary

S.C. - expulsion, ^{expulsion} ^{ostracism} ~~moderation~~ as enforcement penalties

- suggest 2/3 of those present and voting to decide in
Security Council.

- three Latin American states to sit on Security
Council

- special minority to ~~decide~~ ^{oblige} the Council to hear
an allegedly interested state not on the
Council

G.C. - Security Council is I.C.J. not to intervene when
other ^{peaceful} processes of settlement are in course (arbitral
or regional)

- compulsory jurisdiction of legal disputes

- compulsory I.C. execution of I.C.J. decisions

S.C. VI B 1. definition of compulsory execution function

3. Scope of non-coercive sanctions

4. ~~Small power burden in implementing~~ S.C. decisions

5. Coercive sanctions to be called for only on basis of prior
agreements; general agreement preferable to series
of special agreements.

6. Size of national air force contingents to be determined
by proximity, interest, and capacity

Venezuela - Oct. 31, 1948 - cont.

S.C. 7. clarification of final phase - does this refer, e.g., 24-25
to regional organization

" 8. representation in Military Staff Committee of
any state which lends military collaboration. 25

VIII c. relation of regional to general 26-27

S.C. XII. 1. general agreements as ones to O.O.P. would
provide need for prolonged transition 33

XII. 2. protect great-power recognition of everything
relating to action against changing states 34

peaceful change 35