

UNCIO - Working papers - Commissions & Technical Committees - Sub-Committee E of Commission 1-1/2/E

15 May 1945

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PLEASE RETAIN  
ORIGINAL ORDER

CLEAR - N/K

7/05

UN ARCHIVES

SERIES	<u>S-1018</u>
BOX	<u>5</u>
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ACC.	<u>          </u>

CPAG-5/22.3

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Re: *Revised Statement*

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WITHDRAWAL

Suggestion for Revised Text for Insertion in the Report  
of Committee I/2

The Committee adopts the view that the Charter should not make express provision either to permit or to prohibit withdrawal from the Organization. The Committee deems that the highest duty of the nations which will become Members is to cooperate within the Organization for the preservation of international peace and security. If, however, a Member for good and sufficient reasons feels constrained to withdraw, and leave the burden of maintaining international peace and security on the other Members, it is not the purpose of the Organization to compel that Member to continue its cooperation in the Organization.

Nor would it be the purpose of the Organization to compel a Member to remain in the Organization if its rights and obligations as such were changed by Charter amendment in which it has not concurred and which it finds itself unable to accept.

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Friedman

I/2/E

May 30.

I/2/E

Chr - We are on second ques.

Robin's proposition is subject  
of discussion

Mabane - Didn't understand that

Ques. is whether there will be  
reference in charter to conference  
revision

Robin - I put mine ~~mine~~ forward as  
basis of agreement

Two questions

1) period

2) spec. conf or assembly

Chr -

Robin - Agreeing considering  
const. Qona within certain  
time limit

Mabane 1) const

2) time

3) m

notary



4\*) relation to withdrawal

Chr - Enun. of UK del -  
whether ref. to be made to  
Conf. on revision

Rolin - I up - I opposed Spec.  
conf. I sugg that revision  
be made in Assembly within  
fixed time

Canada: Tues - Spec. conf v Assembly  
Canada favors former  
Spec Conf in amend. of several  
powers

UK - pt of order - Charter has  
provision for revis. by  
Assembly - meets Rolin's  
point.

Equator - - Belg favors D.O. prov  
in pref to Spec. conf.

- 1) decide time for revision
- 2) method: Assembly or  
Sp. Conf.



UK - pt. of order - text provides  
for amend. by Assembly etc

This is additional procedure -  
do we want

Ans - Is issue amend. by Assembly  
or Const. Conf.

UK confuses Rolin's prop by assoc with  
issue is: what method of  
vote -

D.O. provides for amend. but  
only by process involving  
veto. - Hence cannot  
assume amend. by Assembly

Brazil - Ques. is whether  
revision is to be periodic  
Brazil suggest "  
revision

Whether we want periodic  
revision: any such gathering  
would hence be Const. Assembly



U.S. - error in

Chap. XI contains one  
P on amend.

2 amend. by sponsoring  
powers.

para. numbering should be  
1, 2, 3.

Robin = I pt out confusion by  
other point. TP 1 of Amend  
refers to ratif, not amend.

2 prop = 1. by Assembly or sp  
2. ~~by~~ periodically  
or regularly

I pref. rev. by Assembly.

Chairman: I agree with P. and by 4/11  
points 1 and 2 do not refer  
to amend. we can propose  
new chap for pt

simple majority for subcom.  
decisions.



dividing par 3 into  
four parts - taking up  
pt 3

Eg - principles not left -  
Consider

1) conf for revision

Brayl - Sp. power 2 points  
we can take up later -  
take up par 3 in principle -  
Const. conf (

Canada - why I favor const. conf -  
opposed to Belg. idea  
If by Ass, rules for Assembly  
would prevail - Const.  
Conf. could make own rules

U.S. - pt. of order - re. vote by  
majority - com. composed of  
sp. powers, others with amend.

designed to give hearing  
to oppos.  
Packed com - recom by  
vote might reflect on  
com.



I do not agree with US  
Chr - Subcom apptd for drafting  
purposes, study ques. of  
great imp't where full  
com. cannot act - Formula  
practical for clarifying issues  
before Com.

Comp. of Subcom. - discreet. of  
Chr. In this case, US  
deleg. is here at request of  
Chr

UK - not frightened by vote - com.  
overweighted in oppos. -  
essent. wisdom of those  
offering amend, power of  
my own arguments.

Aus - nothing

Norway (to Canada) one Const. conf  
or periodic conf.

Brazil - amends to approve  
O.O. - US need not have  
plan = 0



Can - single const. conf at time;  
+ 1 4 might  
plan for others

Norway - if we vote on Can prop,  
then we would not vote on  
periodic revision -  
Sp Power provide for  
periodic revision

Three parts

- 1) Const conf
- 2) period revis
- 3) normal amend process

Chr - suff debate - divide ques  
1) text by § p  
2) pts in other amends

Mexico - We had decided to discuss  
3rd para. to discuss this  
in line with Mabane? whether  
ref. to const. conf. should  
be made)

Chr - I agree with Mexico, diff questions  
arise, such as Norway.



Canada - I disagree - discuss  
on amend out of order.  
Let's take pts of Mobane

Aus - support Canada

Mobane - this meeting resolves  
that alter method <sup>of amend</sup> by  
adopt, namely specially  
const. conf

Aus - what does M mean by  
specially. -

UK -

Chr. - reference to const. conf  
vote all but <sup>Labote</sup> Bel, Norway  
13 - 2 abstain

2nd ques - time for  
condensing

45 p power leave it  
to  $\frac{3}{4}$  vote of Assembly



new technical developments  
change world affairs —  
stand by Brazilian  
Amend. five years —

US — advantages of certainty =  
spec. period casts sense of  
uncertainty — fine impression that  
we are setting up provisional  
transitional

Prop. is one revision Conf —  
S. P. Amend calls for Conf — many  
which can be called at any  
time

S. P. Prop. permits liberality  
on Sec. Council vote in calling  
Assembly

Caradon — Can. leaves it to Assembly in  
period of time. If Assembly  
wished to obstruct could do so  
for more than ten yrs. Fix date,  
? for instance, help ratification  
of Charter — since Charter would be  
subject to imp — US pt of transit-  
face fact of changing world —



change inevitable; Compromise date

Canada - if major problem arose  
before time limit, normal  
amending proc! major change,  
call special conference

~~Secret Union~~ = D.O. Prop has spec.  
provision - no def. term set in  
D.O. - amend. at any time.  
Later on when necessary, conference  
for revision - not clear what  
term is generally agreed - as it  
shows a resp. proposal -  
psych motives <sup>not of good</sup> sound sense  
S.P. prop is flexible, impossible  
to foresee. U.K. is right.  
Org. should have char. of  
stability - no change each  
day - if char. can be revised  
freq, create doubt about it.  
~~Did~~ par. of XI - Cardinal  
changes provided for  
in par. 3 of XI - no fixed  
date - not the hand of Org -  
let Org decide - only in such



away can sound method be followed.

Norway - correct that Soviet del say  
about psych cons - We are not  
acting in pol vacuum - In  
some countries, prefer to fix period;  
others, leave open & regard  
chance for ratif. Pol. conditions  
diff. in world - We favor  
amend. of 4 sp. powers - majority  
required is reasonably fixed;  
if cannot get such, revision  
won't carry much weight -  
favor leaving date open.

Ecuador - US and I referred to psych  
Soviet statement is rash. Transl.  
resp for rashness. Psych. is  
important in country where  
public opinion is freely expressed.

Australia - favor complete rev. of Charter  
in 5 yrs, ref to Brazil, in 7 years.  
Not psych. - Certain features of  
Char. are justifiable only on  
transitional base - Oppor.  
for complete revision  
not intended as substitute.



regular procedure. As Plott  
of veto. Conf is not particularly  
satisfactory. We want this after  
period, complete review of  
const. prefer 5 years, no  
further than 7 — also  
periodic reviews, perhaps  
every 7 years

U.S. One is that Great Powers with  
spec. privileges — of change,  
/// withdrawal

On period — 7 years —  
its calling not be dependent  
on organs of Charter

U.S. supports prop of Sp for  
conference — but wants  
fixed date

Aust. prop 7 years pref.

U.S. — Why are we wiser than people of  
future — Diff. to know circumstance  
of conference. Grave events —  
expect, influence period prior  
to conference

This is Security Org. Talk



of withering hand on future.  
We are glancing " on future

UK - Inpt problem - we've been  
issued on fixed dates (Belg - Norway)  
Used to set term (C, P) -  
two short term, amends would  
S. U. - we ~~would~~ be reducing flexibility  
I am committed to amendment

Impressed by maintaining  
flexibility of 1st sentence of  
Spon Power - Coatt notes  
 $\frac{3}{4}$  - strange;  $\frac{2}{3}$  usual - perhaps  
open to discussion -

General Conf of U. N. -  
But in any case, shall be  
held in 4 years after charter  
goes into effect

I cannot commit myself or  
deleg. This expresses ideas we have  
here

Belge - Agree with Mabane - not in favor of  
Sec Council. Mabane would give us  
attitude. Meets pt of US on  
stability. It would avoid



suggested of processing conf

Brazil: Verney asked if 7 yrs accept. to  
Brazil — <sup>Re: 45 yr</sup> common sense and  
psych not exclusive — psych.  
in war and peace —

Cc. point out psych we'd face  
in Brazil

Orig of 45: Charter deviates from  
ordin const. law. Sm powers  
committing them, forced to accept  
restriction

Brazil favors 5 yrs, accept 7 yr.  
to US-UK, flex. offset by  
inflex. of method  
ask UK — what would be  
value of "X" years — proportion  
of UK to be clear?

UK — I do not propose to go into  
this

Brazil — for my own

Fabian — psy contradictions in  
statements: mobility, fluidity of  
world but set date. People



want stability and security Future  
is more than 5 yrs - favor S.p  
prop. prepare to support  
proposal of UK del.

Canad - I shall withdraw my  
proposal in favor of  
UK's prop of + means  
5 to 1

Aus : If Mabane's pt was matter  
of drafting, I should agree.  
As for Armstrong - period of  
7 years is no oblig to change,  
but merely to ~~keep~~ <sup>keep</sup> ~~older~~.

Features of organizing not  
so hot - e.g. - enforcement,  
Big 5 mil alliance. Will that be  
position in 7 yrs. Will they be so in  
seven years. Can we rely on  
support of Great Powers. No.  
veto - no guar. of security.  
We have to contribute to see  
will Org assume redit.  
of comm, etc?

Veto on conciliation -  
No answer from Big Powers -

as he  
faces  
his  
people



cannot be up from amend.  
Explain as going thru transitional  
Only 3 Great Powers -  
Complete revision, unhindered by  
veto - — ~~Mr. Bage~~  
to distinguish between  
~~amend~~ before a certain period  
or

I want chance for complete  
revision. Armstrong  
legisl. for future. More  
amendable period.

Cannot fit a period without  
a process full of vital  
restrictions

Why I raised need for  
special clause.

Mustake to include  
spec conf, within prov  
for period conferences.  
Only way to accept  
certain features which are  
justified as transitional  
I am willing to accept  
<sup>now</sup> many things which I will  
want to change now.



USSR

solution of X - can we solve  
+ now for calling conf. We  
cannot see future cannot predict  
conditions of future  
cannot fix a single yr.  
Best solution is big 4 Prop;  
let Org itself decide -  
Many dele assume there will be  
<sup>several conf</sup>  
Big 4 demand covers only  
general conference - not  
permanence revolut.

Psych - I mean  
emotional fervor of moment -  
not public opinion; I  
don't know " " in different  
countries. Didn't mean to  
imply ignore public opinion.  
In USSR public opinion is  
important force

Ecuador - agree on import of psych  
pay used on both side of  
argu.

France - pt of order - disc closed.

Canada - I move that we vote on



Mabane's motion,  $x = 7$

Ch - UK has not made motion

Canada - Glad to make motion

Made amendment -  
7 years

U.S. - re/ I'll wait for Co

Ans - I'd prepare to second - might be  
held earlier under 7 years.  
Conf not too early at which these  
might be considered without  
restriction

Brazil - pt. of order - Mabane had suggested  
that vote might be  $\frac{2}{3}$  or  $\frac{3}{4}$  - let's  
be clear

UK - I made no motion

Ans - postpone til morning, take  
vote first thing tomorrow

Ch - Unanimity to postpone

UK - postpone meeting of full com.

Ans - Second

Ch - it was Mabane's request to hold  
com. meeting

UK - we all thought we'd be able  
to finish