

UNCIO - Working Papers - Commissions & Technical Committees
- Commission II Committee II - 25th meeting.

20 June 1945
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SUMMARY REPORT OF TWENTY-FIFTH MEETING OF COMMITTEE II/2

Veterans Building, Room 202, June 20, 1945, 4:30 p.m.

The Chairman opened the meeting at 4:30 p.m.

1. Consideration of Paragraph 3, Section B, Chapter V

The Chairman said that the history of this paragraph was set out in the Note by the Secretariat (WD 385, II/2/56). There remained now only one question to answer, to be found on page 2 of this Note, viz:

"Should the General Assembly be the body empowered to expel?"

The Delegates of the Union of South Africa, Belgium and Uruguay expressed their intention to abstain from voting on the procedural aspect of expulsion now before the Committee. They had consistently opposed the inclusion in the Charter of a provision for expulsion when the question of conditions for expulsion was discussed by Committee I/2, considering that suspension was sufficient.

The Delegate of India stated that his Delegation had voted against expulsion in Committee I/2 and, if he now voted on the procedural aspect, the vote should not be interpreted as indicating any change of opinion in favour of expulsion.

The Delegate of Norway said that his Delegation had at first opposed expulsion, but had become convinced that in certain conditions such a measure might be needed.

The Chairman explained that an affirmative answer to the question quoted above would mean that the Assembly should be the only body involved in expulsion, as contrasted with the Dumbarton Oaks text which provided for expulsion by the Assembly on recommendation of the Security Council.

Decision: Question negatived by 22 votes to none.

The Chairman then put the following text for the first part of paragraph 3 to the vote, as follows:

"The General Assembly, upon recommendation of the Security Council, may at any time suspend from the exercise of the rights or privileges of membership any member of the Organization against which preventive or enforcement action shall have been taken by the Security Council. The exercise of these rights and privileges may be restored by decision of the Security Council."

Decision: Text approved by 26 votes to none.

The Chairman then put the second part of the paragraph to the vote, as follows:

"The General Assembly, upon recommendation of the Security Council, may expel from the Organization any member which persistently violates the principles contained in the Charter."

Decision: Text approved by 23 votes to 2

2. Reconsideration of first part of Paragraph 1, Section B, Chapter V

The Chairman reminded the meeting that this matter had been raised, during the discussion of the Rapporteur's Report at the previous meeting, on a motion by the Delegate of the Soviet Union. The discussion had been adjourned, and meanwhile the Steering Committee, on a recommendation from the Executive Committee, had appointed a subcommittee, composed of the Chairman of the Conference and the Delegates of Australia and the Soviet Union, to find an agreed formula. This Steering Committee agreed to recommend that the paragraph be referred back to Committee II/2, on the understanding that a formula should meanwhile be sought. He was happy to say that this had now been found.

The Delegate of Australia formally moved the adoption, in place of the text on page 8 of the Rapporteur's Report, of the wording set out in Doc. 1116, II/2/57. Recalling the history of the paragraph, he submitted that the form of words now moved, which had the unanimous support of the Subcommittee to which the Chairman had referred, deserved the same support in Committee II/2. By this formula, the Assembly's field of discussion would be as wide as the scope of the Charter itself. He wished to express his appreciation of the part played by Senator Vandenberg, Mr. John Foster Dulles and Ambassador Gromyko in finding a solution to this perplexing problem.

The Delegate of the United States felt that the new form of words preserved the character of the Assembly as tomorrow's "town meeting of the world", and demonstrated the capacity of men of good-will in the United Nations Conference to find common ground in face of difficulties. He added that Dr. Evatt, who had been throughout the champion of the integrity of the Assembly, deserved the gratitude of all concerned.

The meeting recessed at 5:30 p.m., in order to permit members to attend the meeting of the Steering Committee at that hour, and re-convened at 6:00 p.m.

On the resumption of the discussion, the Delegate of Belgium asked to go on record as stating ~~that~~

run on

INSERT A

(No new paragraph)

The Delegate of Egypt deplored a certain ambiguity in the new wording, due partly to its definition by reference of the Assembly's power to discuss; but added that he put his trust for the future of the Assembly in the spirit of the peoples represented thereon.

that the Committee had arrived at the end of a long debate, which had occupied it for many meetings. Much might be said about this debate; twice, indeed, a formal vote taken in the Committee had been held in question, which was, to say the least of it, a disputable proceeding. But since the atmosphere was now one of agreement, and since the present opportunity seemed to be to favor the result despite the method by which it was reached, it would be ungracious of him to insist now on the maintenance of the original wording and thus to cast himself for the role of guardian of orthodoxy and principle. Nonetheless, one delicate question still arose. The formula for paragraph 1 now circulated had not been officially communicated to members before the meeting. In consequence, those who had not taken part in the work of the Subcommittee of the Steering Committee had now no opportunity to refer back to their delegations, and might find themselves embarrassed. Fortunately, for its part, the Belgian Delegation was free to declare its position in the meeting. He therefore supported, in the name of his Delegation, the new wording before the meeting. He did this the more willingly in that the formula had been accepted by the Delegation of the United States, for whose mediation he was grateful, and by the Australian Delegation, at whose side the Belgian Delegation had consistently sustained the good fight for democracy. *spirit*

Other delegates paid homage to Dr. Evatt as the defender of the rights of small nations and expressed their willingness to vote for the compromise text. *H*

The Chairman then put to ^avote the proposal to substitute the following words for the text of the first part of paragraph 1:

"The General Assembly has the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organizations provided in the Charter, and, except as provided in paragraph 2(b) of this section, to make recommendations to the members of the United Nations or to the Security Council or both on any such questions or matters."

Decision: Text approved by 38 votes to none.

The Chairman then put Section 8 of the Rapporteur's Report, as amended by the above decision, to a vote.

Decision: Approved by 36 votes to none.

The Delegate of the United States thanked the Rapporteur on behalf of the members of the Committee for his admirable

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The meeting then approved the Chairman's proposal that the Rapporteur be empowered to make the alterations in his report required by the above decisions.

report, and also expressed on their behalf his appreciation of the ability, patience and generosity with which the Chairman had conducted the work of the Committee. The Chairman, he said, had earned the regard of all his colleagues, and he asked him to accept from them, and as a token of good will from the host country, the gavel he had used during the meetings of the Committee.

The Delegates acclaimed this tribute, and the Chairman, accepting the gavel, expressed his deep gratitude to his colleagues for their expression of good will.

The Rapporteur also expressed his sense of gratitude, and invited the Committee to include the names of the Secretary and his colleagues in their expression of appreciation.

The meeting adjourned at 6:40 p.m.

Room 202, 4.30pm, June 20 11/2 25th

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Ch: Deal first w. expuls (WD 385) ^{p.2}

Qn on p. 2. D.O. prov. f. S.C. re on this

S. Africa The S.A. has consist been as any prov of
expul of a member consid that supp
is suffic. ^{as the resolution they subj of vote in another Cttee, I}
make this explana of my
intent to abstain

Belg Same decla que S.A. In I/2 Belg
on record abstained on vote on cond of expuls,
likewise " " proceed " "

Wuy We make a simil decla. We think
Organ has suffic other means at its dis-
posal

Canadian Our del has also taken posit of
expuls. Since other Cttee has voted expuls,
we can't take a positⁿ here. There is a
different gr. bef. this Cttee, that of proceed.
I think we shd make Ass controlling body

France I agree Canada, another Cttee has decided
all we must do here is proceed. I agree
Ass shd be the body to take this meas.

Norway ^{were} against expuls, but have changed on
minds, consid that some cond may
arise reg it, have changed on
minds

India As expuls in Charter, voted as in I/2,
if votes now on proceed it must be
consid as having come to for expuls.

U.S.S.R. If we negatived, is it D.O.

Ch If " " , then vote on D.O. text

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The issue in gn is said to be only body
empowered to expel.

Vote Ayes 0
 Noes 22

Now we vote text on ^{Art} 2, W.D. 385.

Belg abstain 3 Ayes 26 4 Ayes 23
 Noes 0 Noes 2

Para. 1.

Ch Now we go to recs in R.R. on motion.
at last mtg of U.S.R. ^{Discuss adp}
Planning took up gn, formed ^{on rec by} small
S-c of U.S.R. Austria & Ch of Conf,
to find a formula. S-c agreed to
rec back to II/2, on of understanding
formula be sought in interval. For-
mula has now been found, I am
happy to say.

Austria Every^{one} has copied revised text by him
You will remember this matter in
our Cttee. U.S.R. objected, new attempt
(as expl Ch) was made find formula.
I submit it has not only main support
of S-c, but shd have
of this Cttee. The field of discuss-
of Arts is to be as wide as the Charter

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I think it a better phrase than one prev
"in the sphere". It brings whole scope
of Charter w. in sphere of Ass discuss.
I move it w. relief & thankfulness, &
desire thank Vand, Dulles, A.D., in
helpful finding formula, & Gromyko.
What we are asking for has never
really been disputed. Vand say early
"Town Mtp", discuss free as scope
of Org self. I think Pres formula
best poss, I glad it ed thus be
solved at end of Conf.

I move, ∴, sub stitue draft f.
§ 1 of VBI in Rapp's Rep, Sum
of Recs.

W.S.A. I speak f. 4 SP & 7. Perplexing prob
here involved has been handled by 4
& 7 in cc. Evatt. Soviet Del, w, I
think, substant gnm, complained
old phrase so broad as to be vague.
We searched substitute. Happy in
result for reasons

1. have pres char of Ass as
"a tomorrow's Town Mtp of the world"
2. "Demonstrat" of ^{of UN Conf} men of goodwill
finding com utp ground when

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Let out to do so

Subscribe to fromyko compts, and
must add Ewalt, who has been champ of
~~seign~~ ^{integrity} ~~business~~ of Ass throughout.
Good men

Belf We come to end long debate, many session.
Twice, has a formal vote of our Chm
has been called in yr - w. question-
able, ^{we objected} Since atmorph council, don't
want to behave ungraciously. But we
are put in delicate posit, not having
seen text before. Nevertheless, Belf
Del has suffic freedom of action to
decide on seance, & I accept text,
esp in view of wh. posit - & of
that of our good friends of Australia,
who has been so long assoc w. us in our
struggle f.

Moore
not in
S-C

Egypt

Also in embar posit, but I had conf that
Ewalt wd maintain his noble stand.
But I wd draw yr attent to new
way being an big - because, in-
stead defining Ass powers directly, we
define them by reference - worst kind
of " - Now, either Chart covers "system
of I.R.", or else Ass is wpt of Organ
Now another pt. "w in scope of Ch" will
give rise to many diffies of interpretⁿ which
showed us Chart one day, Ass-SC on same
several

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level. I agreed with him. Now it is different, either matter will be done now, or on side scope, or matter left i.p.t.s., or fall to Sec — the more so since S.C.'s power is to send message by Sec Gen telling us to desist

Attach much import to Vand's tomorrow. Today we have not got an Org. We are under influence of war complex: I hope the T.M. of tomorrow will devel into " " " today. For this I put my trust, not in Doc, or in shrewd wds of pol^y, but in spirit of people, & espec ref to people of U.S.A., whose guests we are.

Recess 5.30

Recess 6. p.m.

Canada Having felt bound to defer on proceed gds, I welcome pres solution

Two suggs to make text conform on usual form (may twice)

Columbia will reply aff. to Ewald motion, but bef vote, we declare

1. We have found no good reason to change orig text

2. We accept new formula in spirit of

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^{& compromise}
Council: not to delay Charles
3. With homage to Evatt as defender
of small countries, & Vand
who desires T.M. of world, &
the efforts he, helped by Evatt,
made to this end, & twids
solution now presented.

In this spirit we shall give our
vote, but in conviction that there
was no need at all to change
our text.

Ch No ^{one} against, shd vote. But since
on last vote, ^{except as rule} we want to end w/
good feeling, I will reop reading
speakers, & then vote - if, of course, no
objections.

Cuba Thanks Ch. for first attendance. So
surprised at today's proceed. We
small nations have lost many
battles, accepted in good spirit.
Here is something. I vote for Evatt,
proud to ^{be} assoc w. him, those
in spirit of vote, if att, will be
as ^{concession} gesture of small & twids, in this
last days, succ & Cont & Completion of Ch

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France Fr. text is not good - draw attention
of Coord Cttee to this

Aust Appeal these things be settled
in Coord, as this is agreed aft.
Egypt's speech, & others. We
have had many struggles w/ds our
broad gen objectives. One of them
is assur of p's of future Ass. Here
we have formula wh. cd hardly
be broader under Charter on wh
we wk. When you see it, I don't
see how cd be broader

Marathon race - say you've
lost! Not a sh of win or lose.

Cf League - broad as that,
Thank everyone. Vand! T.M. is
same today as he said it last time.
I don't want think of ^{this a} concerns by
small mid P's, but a substantial
concern, by 1 at least of GP's,
to small & middle. Hope
man

Canada Apres. Only did it cos Coord
asked me.

Egypt Desire meet Evatt on com ground.
I didn't mean he had lost. I accept
his assurance re broad charac of text.

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Fromyko NOT as broad as orig text, but
as broad as Charter. That is all
it means.

Sec reads text

Vote. Ayes 38
Noes 0

Ch Now approve last pp of 1008.
Any objections? Vote Ayes 36
Noes 0

Ch Now R^{Bas} to put into rapport
Please empower R^{Bas} to include.

WST Thank Rapp for his admirable
report.

Then to you — presided with
ability, patience & generosity,
& earned our regards.

On behalf of you colleagues & of
this country,
please take leave as in remarks.

Ch I am deeply moved & thank you
deeply for your kind words. ^{! come} ~~that~~
with faith to this Conf., & when app^{rs}
Ch., tried to sustain resp on weak &
humble shoulders. Highest honors of my

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life, & devotion to my country trusting
I have lived up to confidence &
resp^y put on me.

Rapp I deeply appreciate kind words, beyond
my deserts. I wd like to assoc w. these
expressions of gratitude the names
of Haley & ^{his} colleagues, for their
devoted assistance.

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Please insert the
text below in full
in the record of this meeting,

disregarding completely the translation
as given by the interpreter, which
was inaccurate.

Déclaration du Délégué belge

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Non arrivons à la fin d'un long Tibet, qui nous
a occupés durant de nombreuses séances.

C'est un débat au lequel il y aurait beaucoup à dire :
pour deux fois, en effet, un vote final acquis en vain
du Comité s'est trouvé renversé en question.

C'est la même méthode absolument discutable.

Mais puisque l'atmosphère est si étroite et puisque
l'esprit actuel semble être de s'attacher beaucoup
plus au résultat qu'à la méthode, j'aurais
mauvaise grâce à insister en faveur du maintien
du texte primitif et à me faire ainsi le gardien
de l'orthodoxie et des principes.

Une question délicate surgit toutefois, ici. La
formule du § 1 que nous avons votée les jours précédents

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pas été communiqué officiellement avant la séance
de ce jour. Il n'y a donc aucune possibilité, pour
ceux d'entre nous qui n'ont pas participé aux
travaux du Sous-Comité 'Le Steering Committee',
de se référer à leurs délégations.

Non pourrions-nous nous trouver de ce fait dans une
position embarrassante. Heureusement, ce qui
le concerne, la délégation belge possède une
liberté pour assister à la séance.

J'adhère dès lors à son nom au texte nouveau qui
nous est proposé.

J'ai fait l'autant plus volontiers qu'il a été accepté
par la délégation américaine, à qui nous sommes
reconnaisants de sa motivation, et par la délégation
australienne, avec laquelle la délégation belge
n'a cessé, depuis le début, de mener le bon
combat démocratique.

Commission II

Committee 2
Comité

Attendance Record
Bulletin de Presence

25th Meeting

4:30 Pm R202

Date 20 June 1945

Country/
Nation

Name of Representative Present
Nom du Représentant Présent
(Please Print)
(en Majuscules, S.V.P.) -

Argentina

Australia

Belgium

Bolivia

Brazil

Byelorussian S. S. R.

Canada

Chile

China

Colombia

Costa Rica

Cuba

Czechoslovakia

Whatt

Fernand DEHOUSSE

Andrade

P. L. V. V.

K. K. K.

Larwick Chpin

Carson Chang

K. K. K.

K. K. K.

K. K. K.

Ernesto Dichip

Ernest Sturij

Denmark

Dominican Republic

Ecuador

Egypt

El Salvador

Ethiopia

France

Greece

Guatemala

Haiti

Honduras

India

Iran

Iraq

Lebanon

Liberia

Luxembourg

Mexico

Netherlands

[Signature]
G. Plaza

[Signature]
Abby J. Anderson

[Signature]
John L. Lunn

Sami Aglion

C. Diamantopoulos

[Signature]

Andri LIANTAKIS

JORGE FIDEL DURÓN

V.T. Krishnemecharu

M. F. Jamali

A. YAFI

[Signature]
[Signature]
[Signature]

New Zealand

Adm. Inish

Nicaragua

Norway

Janis Wm. - Mills

Panama

Paraguay

César R. Acosta

Peru

Ed. Cisterna

Philippine Commonwealth

José F. Imperial

Saudi Arabia

Ali al-Darazi

Syria

M. Dabaki

Turkey

A. Ermer

Ukrainian S. S. R.

M. Petrovsky

Union of South Africa

L. R. L. L. L.

Union of Soviet Socialist Republics

Roschin

United Kingdom

Charles W. W. W.

United States of America

Adrian D. D. D.

Uruguay

G. G. G.

Venezuela

German Vegas

Yugoslavia

T. V. G. G. G.