

UNCIO - Working papers - Commissions & Technical Committees.
- Commission II Committee I - 14th meeting

01 June 1945
15 June 1945

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COMMISSION II

Committee 1 Structure and Procedures

AGENDA FOR THE FOURTEENTH MEETING OF COMMITTEE II/1

June 7, 1945

1. OPEN ASSEMBLY SESSIONS:

Question:

Should the Charter provide that the meetings of the Assembly shall be open to the public and the press except in exceptional cases to be determined by the Assembly? (This is proposed in an amendment to Chapter V, Section D, paragraph 1, submitted by the Peruvian Delegation and referred to this Committee for consideration by the Executive Committee--See statement by the Peruvian Delegation, Doc. 667.)

2. VOTING RIGHTS (CHAPTER V, SECTION C, PARAGRAPH 1).

Question:

Should the Charter provide that a member shall have no vote if it has not carried out its obligations as set forth in Chapter VIII, Section B, paragraph 5? (This is proposed in the Australian amendment considered by the Committee at its Eighth meeting and deferred until the provisions of Chapter VIII, Section B, paragraph 5, were established by Committee III/3--See Doc. 454.)

ANNEX--AGENDA OF FOURTEENTH MEETING OF COMMITTEE II/1

1. TEXT OF PERUVIAN AMENDMENT.

Submitted as a second part of Chapter V, Section D, paragraph 1.

The sessions of the General Assembly shall be open to the public and to the press of the world. In exceptional cases the General Assembly may determine whether it is prudent to modify this rule.

2. TEXT OF THE REVISED AUSTRALIAN AMENDMENT TO CHAPTER V, SECTION 6, PARAGRAPH 1.

A member shall have no vote if it has not carried out its obligations as set forth in Chapter VIII, Section B, paragraph 5.

Texts of Chapter V, Section B, paragraphs 5 and 5A as approved by Committee III/3, June 4, 1945:

5. In order that all members of the Organization should contribute to the maintenance of international peace and security, they should undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security. Such agreement or agreements should govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided. The special agreement or agreements should be negotiated as soon as possible on the initiative of the Security Council and concluded between the Security Council and Member states or between the Security Council and groups of Member states. All such agreements should be subject to ratification by the signatory states in accordance with their constitutional processes.

5A. When a decision to use force has been taken by the Security Council, it shall, before calling upon any member not represented on it to provide armed forces in fulfillment of its obligations under the preceding paragraph, invite such member, if it so request, to send a representative to participate in the decisions of the Security Council concerning the employment of contingents of its armed forces.

For the Information Committee there is given herewith the text of Chapter V, Section C, paragraph 1 as approved by the Committee and forwarded to the Coordinating Committee and a revised text of the same paragraph now under consideration by the Coordinating Committee.

Text approved by Committee II/1:

Each member of the Organization shall have one vote in the General Assembly. A member which is in arrears in the payment of its financial contributions to the Organization shall have no vote so long as its arrears amount to its contributions for two full years. The General Assembly may waive the penalty if it is satisfied that the reasons for delay in payment are beyond the control of the state in question.

Text of Article 18 of the Charter now under consideration by the Coordinating Committee:

1. Each member of the Organization shall have one vote in the General Assembly.
2. A member which is in arrears in the payment of its financial contributions to the Organization shall have no vote if the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two full years' period. The General Assembly may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

The Delegate of U.S.S.R. that
a resolution of this sort ^{would have} ~~has~~ no
force or effect unless ratified
by the various governments and it
would not be presented to the various
governments.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

That. The Rapporteur be instructed

THE UNITED NATIONS CONFERENCE

ON INTERNATIONAL ORGANIZATION

to state in his report

that the
~~This~~ Committee is of the
opinion that the regulations
to be adopted at the
first meeting of the
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COMMISSION II

Committee 1. Structure and Procedures.

ANNEX! AGENDA FOR THE FOURTEENTH MEETING OF COMMITTEE II/1

Corrigendum

line 13 should read:

Texts [&]for Chapter VIII, Section B, paragraphs 5 and 5A.

COMMISSION II

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CONFERENCIA DE LAS NACIONES UNIDAS
SOBRE ORGANIZACION INTERNACIONAL
DELEGACION DEL PERU

Enmienda que presenta la Delegación del Perú para que
figure en el capítulo V, sección D, como segunda parte
del párrafo número 1:

"Las sesiones de la Asamblea serán públicas,
con libre acceso a ellas de la prensa mundial. La
Asamblea determinará los casos excepcionales en
que la prudencia aconseje la reserva".

San Francisco, 4 de junio de 1945.

Presidente de la Delegación.


Manuel C. Gallagher.

Delegado



Luis Fernán Cisneros

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Peruvian

Pour

15

Contre

22

Canadian

Pour

34

Contre

0

VSSR

abstained

VSSR

-

abstained from the
vote on the very important
question of the
future of the
continent.

Peru

-

abstained from

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Pennsylvania —

Italy —

Canada —

Sweden —

not in accord.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Moves.

1. That Rapporteurs be instructed
to state in his report into what
Committee is / not agreed with
the Assembly

Chair refers to what was proposed.
without comment.

Chair Subsequent — No date. not proposed
will be adopted 5 points.

not proposed but possible.

Chair has proposed any other
not to be done.

Proposed and accepted 5 of 10 points.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Belgium -

Supplies - Very sloped by

Yugoslavia -

but was a real land with an army

Agree Supplies Belgium - and an army but supplies the army very poor

Yugoslavia -

Difficult will not be any long people very short

very hard to get from road

China

For any way to decide how many

China

related to USSR or Belgium

France -

Double coincidence between

to it was to be the same

as the USSR is the USSR is the USSR

the USSR is the USSR is the USSR

China

Constitution what the USSR is the USSR

shall be it shall be it shall be

of the USSR is the USSR is the USSR

In hope that will not be it will not be

COMMISSION II General Assembly

Committee I Structure and Procedures

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June 7, 1945

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member to vote if it is satisfied that the failure to
pay is due to conditions beyond the control of the
member.

418

Amendment proposed by Australian Delegation to
Chapter V, Section G, paragraph 1. Voting Rights.

ADD. A member shall have no vote ^{to} ~~unless in the~~
~~opinion of the Security Council~~ it has ~~not~~
carried out its obligations as set forth in
Chapter VIII Section B paragraph 5.

Changes telephoned by Mr. Burton
of the Australian Delegation on June 5, 10 AM
to Mr. Brown, Secretary of Committee II/1

Mr. Brown

Major
Committee II/1

Statement by the Secretary on the Organization
Business of the Committee.

1. Communication from Committee II/2 regarding
Chapter II, Section B, paragraph 5 (Respect)

2. Reconsideration of the period which should
elapse before a member is to be deprived of
its voting rights in the Assembly, at which
(Chapter II Section C paragraph 1) extension
not yet
made
in
1950

Action of Committee II/I/2 -- not considered

3. Election of Deputy Secretaries by the General
Assembly (Chapter II, Section B paragraph 4)

It has been suggested in Committee II/I/2
that this matter be referred to our Council.

4. Questionnaire submitted to the General Assembly of
loss of voting rights on account of failure
to fulfill obligations such as are contained in
in Chapter III, Section B # 5. — Committee II/3

5. Method of nominating countries to be represented
on the Trusteeship Council — (Dependent on action of
Committee II/4)

6. - Inclusion & Exclusion among questions to be
voted on by the general assembly by a 2/3 vote

Dependent on action by Committee II/2 & I/2

7. Addition of Restoration to important questions
to be voted on by the general assembly ^{request}
Dependent on the power to restore
rights being given to the assembly - (this
is being discussed in Committee II/2)

8. Addition of questions on which voting ^{majorities}
may ~~be requested~~ have to be determined by
this Committee include -

Requests by Advisory opinions from the International
Court of Arbitration by the assembly - ^{request}
(this power is being discussed in
Committee II/2)

Determination of

Decision relating to the restoration of
inapplicable votes ^{request}

(this power is being discussed in
Committee II/2)

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

France

Renou's depends its amendment.

Agreement by Agreement

Not only this rule - word. | Special cases only

VR. - free down of a

Paris but not possible in not choice. -

in case in question when in in
dispute at.

USSR

Of which committee doing to discuss? under San

USA

Resolutions - independent matter

in most of the time within very short order

Opinion

Greece

It is by which we have of special Paris. Ministry
no more it is not.

It is for the reason - for the reason - for the reason.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

June 2, 1945

MEMORANDUM

TO: William Adam Brown, Jr.,
Secretary Committee II/1

FROM: C. F. Darlington, Executive Officer
Executive Committee

This is to inform you that the Executive Committee has approved consideration by the Conference, as a proposed amendment to the Dumbarton Oaks Proposals, the suggestion of the Delegation of Peru regarding public deliberations of the General Assembly. It is therefore appropriate that your committee proceed to discuss this proposal.

C. F. Darlington

copies to: Huntington Gilchrist, Executive Officer,
Commission II
Easton Rothwell
Robert Stewart

*W.A.B.
plan call on
about this 11/1*

NORWEGIAN DELEGATION

San Francisco, June 5, 1945.

Mr. William Adams Brown,
Secretary, Commission I,
International Secretariat of the UNCIO,
San Francisco.

My dear Mr. Brown,

Referring to our telephone conversation
to-day I want to confirm that the Norwegian Delegation
does not think it is necessary to retain its proposed
amendments to Chapter V, Section C, prg. 2.

Yours very sincerely,

Edward Hamuro.

Progress Report Committee II/1 Meeting June 8, 1945
Structure and Procedures of the Assembly

Meeting of June 8, 1945

At its fourteenth meeting the Committee debated a Peruvian proposal to add to the charter the provision that sessions of the General Assembly should be open to the public and press of the world except when that body should otherwise determine. Although there was unanimous agreement to the principle of free access of the public and press to the Assembly's deliberations, it was the opinion of the Committee that this was a procedural matter and should therefore not be included in the charter. The Committee rejected the proposal by 15 to 22 votes. It approved by 34 votes (Russian delegation not voting) a Canadian proposal "that the Rapporteur be instructed to state in his report that this Committee is of the opinion that the regulations to be adopted at the first meeting of the General Assembly shall provide that save in exceptional circumstances, the sessions of the General Assembly shall be open to the public and press of the world."

An Australian amendment to Chapter V, Section C that a member should have no vote if it has not carried out its security obligations as set forth in Chapter VIII, Section B was withdrawn for the time being. The delegation has reserved the right to raise the question after other technical committees have considered related provisions.

The Chairman announced that no meeting would be called to receive the Rapporteur's report but that the members would receive copies and should voice any objections to the Secretary of the Committee.

COMMISSION II General Assembly

COMMITTEE 1 Structure and Procedure

SUMMARY REPORT OF FOURTEENTH MEETING OF COMMITTEE II/1

Veterans Building, Room 303, June 8, 1945, 3:30 p.m.

The Chairman, Mr. Hasan Saka (Turkey), opened the meeting at 3:30 p.m.

1. Open Sessions of the Assembly:

The Secretary stated that a proposal of the Peruvian Delegation to include in the Charter the principle of free access to the sessions of the General Assembly by the public and the press had been submitted to the Executive Committee, which had approved its consideration by this Committee.

In the course of discussion, the Delegates of Belgium, Greece, Syria, and Uruguay expressed agreement with the proposal that the principle of free access of the sessions of the General Assembly to the public and the press of the world be included in the Charter. The Delegates of China, the Soviet Union, United Kingdom, United States and Yugoslavia, while expressing full agreement with the principle contained in the Peruvian proposal, objected to its inclusion in the Charter of the Organization. They expressed the opinion that it was a procedural matter to be dealt with in the regulations of the General Assembly. It was pointed out that the Assembly has the right to fix its own rules of procedure.

The Delegate of Canada moved and the Delegate of the Union of South Africa seconded the following motion:

"That the Rapporteur of this Committee be instructed to state in his report that this Committee is of the opinion that regulations to be adopted at the first session of the General Assembly shall provide that, save in exceptional cases, the sessions of the General Assembly shall be open to the public and the press of the world."

Decision: By a vote of 15 to 22 the proposal of the Peruvian Delegation was rejected.

The motion of the Canadian Delegation was adopted by a vote of 34 to 10 with one abstention.

The Delegate of the Soviet Union stated that his Delegation had abstained from voting since such a resolution would be without force or effect unless it were ratified by the Governments of the participating countries and that it would not be submitted to them for ratification.

2. Voting Rights:

The Australian Delegate withdrew an amendment proposed by his Delegation that a member shall have no vote if it had not carried out its obligations as set forth in Chapter VIII, Section B, paragraph 5 of the Dumbarton Oaks Proposals. The Australian Delegate, however, reserved the right to reintroduce the amendment at a later date after other technical committees have completed their consideration of the expulsion and suspension of members.

3. Rapporteur's Report:

The Chairman suggested that the second report of the Rapporteur, Commission II, might be circulated to the members for their approval and that they might express their comments in writing, rather than to have a special meeting of the full Committee to consider the report. This suggestion was approved by the Committee.

COMMITTEE II/1, PRÉCIS

(Veterans Building, Room 303, 3:30 p.m.)

June 8, 3:30 p.m.

The Committee adopted a motion made by the Delegate of Canada to the effect that the Rapporteur of the Committee be instructed to state in his report that this Committee is of the opinion that regulations to be adopted at the first session of the General Assembly shall provide that, save in exceptional cases, the sessions of the General Assembly shall be open to the Public and the Press of the world.

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The Delegate of Canada moved and the Delegate of the Union of South Africa seconded the following motion:

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THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Canadian Proposal 5/8/45

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Pm. 4/8

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